



ZERO EMISSION  
TRANSPORTATION  
ASSOCIATION

**Statement for the Record**  
**Committee on Environment and Public Works**  
**“Constructing the Surface Transportation Reauthorization Bill: Stakeholders’  
Perspectives”**  
**Hearing date: July 16, 2025**

**Chairman Capito and Ranking Member Whitehouse:**

The Zero Emission Transportation Association (ZETA) is an industry coalition representing approximately 50 companies spanning the electric vehicle (EV) supply chain end-to-end, including critical mineral and material producers, cell and battery manufacturers, vehicle manufacturers, charging companies, electric vehicle supply equipment (EVSE) providers, utility companies, and battery recyclers.

We would like to express our gratitude to the committee for holding the hearing “Constructing the Surface Transportation Reauthorization Bill: Stakeholders’ Perspectives” and for the opportunity to submit our priorities for the record.

**Highway Trust Fund (HTF) Shortfall**

Well-funded federal highways are an essential part of a thriving transportation system, and American EV manufacturers are willing to pay their fair share in support of our shared roads. Maintaining the same gas tax rate since 1993 without adjusting for inflation, advancements in fuel efficiency, and considerably increased investment in highway and transportation infrastructure has resulted in the inability of the HTF to fully cover the increased expenditures authorized by recent highway bills. The balances in both the highway and transit accounts of the HTF will be depleted by 2028.<sup>1</sup> The Congressional Budget Office projects that if current taxes remain in place and if funding for these programs increases annually at the rate of inflation, shortfalls in the HTF’s highway and transit accounts will total \$329 billion over the 2024-2035 period.<sup>2</sup>

Congress must find a tech-neutral, long-term solution to declining real gas tax revenue. With non-gas cars increasingly on the road, ZETA believes that alternative fuel vehicles are a part of finding a sustainable path to solvency. The legislative mechanism for achieving this could conceivably take different forms, one of which could be a voluntary “vehicle miles traveled” (VMT) structure to allow drivers to either 1) report their annual odometer readings on annual tax returns or 2) accept a flat fee as an alternative. Fairness for taxpayers driving electric vehicles would be enhanced by providing drivers who travel fewer than 12,000 miles annually with an option to pay a VMT. To preserve the rights of consumers to lower their fuel costs by choosing more fuel-efficient vehicles, the VMT fee would ideally be calculated using measures of fuel

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<sup>1</sup> The Status of the Highway Trust Fund: 2023 Update. ([CBO](#))

<sup>2</sup> Highway Trust Fund Accounts Baseline Projections. January 2025. ([CBO](#))

efficiency in electric vehicles, such as Miles Per Gallon Equivalent (MPGe), as certified for new vehicles by the National Vehicle and Fuel Emissions Laboratory (NVFEL).<sup>3</sup>

Both VMT and flat fee structures have logistical and other challenges, and ZETA would be very interested in the opportunity to engage with the Committee as conversations about this topic continue to develop. Regardless of the ultimate mechanism, ZETA urges that a prospective federal fee be equitable to fees paid by a gas-powered vehicle driver. This is not just a matter of parity, but also the only way to ensure meaningful long-term solvency.<sup>4</sup>

For instance, the average weight of a new light-duty vehicle is 4,371 pounds.<sup>5</sup> The two best-selling electric vehicles on the market, the Tesla Model 3 and Y, account for more than 40 percent of sales,<sup>6</sup> weigh 4,030 and 4,396 pounds, respectively.<sup>7,8</sup> Given the average weight and assuming an average annual mileage of around 12,000 miles, ZETA believes that an annual federal road use fee amounting to approximately \$100 per vehicle per year would be a fee level commensurate with the annual gas tax paid by an internal combustion engine vehicle with average fuel efficiency.

Implementing a disproportionate fee on alternative fuel vehicles, particularly a large upfront or direct fee assessed to the manufacturer, would not only create a significant barrier for prospective buyers but also fail to meaningfully address the issue of declining gas tax revenues and the long-term solvency of the HTF. A holistic, tech-neutral approach ensures parity amongst vehicle technologies and consistent funding for our nation's highway system.

### **National Electric Vehicle Infrastructure (NEVI) Formula and Charging and Fueling Infrastructure (CFI) Grant Programs**

A ubiquitous, reliable network of chargers along federal highways and in communities throughout America is necessary to support consumer adoption of this continually advancing technology. As the first federal initiatives to establish an interconnected EV charging network across every state, maintaining robust funding for the NEVI Formula Program and CFI Grant Program is critical to continue building out our charging networks across the country. The fast-expanding U.S. production capacity for EVs, batteries, and critical minerals and materials has been a major contributor to not just growth in the automotive sector, but also toward more secure domestic supply chains.

Given the latest projections available for charging by 2030, and the various additional cost considerations for charging and related infrastructure as detailed below, ZETA believes federal funding at or near previously-authorized levels for the NEVI program would support the continued robust buildout of our national charging network over the FY27-FY31 period, particularly in non-urban areas where the need for federal support is the most acute.

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<sup>3</sup> Fuel Economy and EV Range Testing. ([EPA](#))

<sup>4</sup> The Status of the Highway Trust Fund: 2023 Update. ([CBO](#))

<sup>5</sup> The 2024 EPA Automotive Trends Report. ([EPA](#))

<sup>6</sup> What Is the Percentage of Electric Cars in the U.S.? ([Edmunds.com](#))

<sup>7</sup> Tesla Model 3. ([Tesla](#))

<sup>8</sup> Tesla Model Y. ([Tesla](#))

As of July 2025, there are nearly 80,000 public charging locations overall, representing over 245,000 public charging connectors.<sup>9</sup> This is more than double the 95,000 public connectors in 2021, representing significant growth in public charging over just three-and-a-half years. This success is thanks in part to the hard work of both the public and private sectors. However, significantly more is required; according to the National Renewable Energy Laboratory (NREL) and in recent consultations with industry experts, around 170,000-185,000 fast chargers need to be deployed by 2030 to meet the demands of the U.S. EV fleet.<sup>10</sup> Around two-thirds of EV fast chargers required by decade's end must be built out in the next four-and-a-half years.

According to the analysis group Paren, which tracks the U.S. charging infrastructure network, 2025 is expected to be a record year for EV supply equipment (EVSE) deployment, with an estimated growth rate for public charging of 20 percent year-on-year.<sup>11</sup> However, charging rollout varies significantly depending on the state, with large differences between regions of high and low population density. Out of economic necessity, most private sector EVSE deployment occurs in places where the near-term cost of buildout will be absorbed by higher utilization. Paren's report notes that, "The real issue is not just 'more' but siting stations to both fill charging deserts in rural areas and reduce congestion in the busiest urban markets. Private industry will solve the latter issue, but programs such as [NEVI] are key to building out charging stations in areas without chargers but may have very low utilization." To fill in these gaps, federal programs like NEVI and CFI remain necessary to achieve full rollout of EV charging across the country.

While the NEVI program has historically funded fueling infrastructure along federal highways or Alternative Fuel Corridors (AFC) through a formula-based program, CFI is a technology-neutral discretionary grant program. CFI allows entities to apply to deploy publicly accessible infrastructure to serve vehicle types including electric, hydrogen, propane, and natural gas. CFI allows for public-private partnerships to build out infrastructure in strategic community areas, such as public roads, schools, parks, and public parking facilities. Despite its public-private partnership structure, private companies are not considered "eligible entities" under CFI's current statute. Eligible entities, such as state or local governments, apply to the federal government for funding through the program. Private contractors, or subgrant recipients, must subsequently apply to the eligible entity through a request for proposal (RFP) competitive grant process in order to receive a CFI grant. This creates a "middle man" in award distribution, which significantly slows deployment, adds administrative burden, and increases project costs. ZETA recommends that the Committee explore alterations to the structure of the CFI program to allow more direct partnership with the federal government, thus increasing the efficiency of the program and decreasing project timelines.

Overall, ZETA believes that federal funding for EV charging moving forward should be robust enough to account for any increase in inflation and possibly higher costs of energy usage due to artificial intelligence data centers and growing demand, in addition to meeting the need for public charging across the country. ZETA believes that federal charging programs should

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<sup>9</sup> Alternative Fuels Data Center. ([DOE](#))

<sup>10</sup> NREL. June 2023. "The 2030 National Charging Network." ([NREL](#))

<sup>11</sup> US EV Fast Charging — Q2 2025 report. 7/28/2025 ([Paren](#)).

complement private sector investment and focus on filling gaps in charging coverage, such as lower population density areas that are less economically feasible for the private sector to develop. In addition, we recommend that the Committee consider the issue of charging congestion in certain areas, as well as the unique challenges for medium- and heavy-duty EV charging during the drafting process of upcoming surface transportation legislation.

ZETA would welcome the opportunity to continue engagement with the Committee on Environment and Public Works, as well as with the Department of Transportation, to provide recommendations on how to increase transparency and efficacy throughout the program, which will best ensure federal funding is utilized in an efficient manner where the need is greatest.

### **Discretionary Authority to Grant Alternative Fuel Access to High-Occupancy Vehicle Lanes**

ZETA supports the ability of states and local governments to use their discretion about whether to allow alternative fuel vehicles like EVs to use high-occupancy vehicle (HOV) lanes on federal highways. This ability has been Congressionally authorized for twenty years, and we ask the Committee to once again reauthorize this provision in the upcoming surface transportation reauthorization legislation.

In the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005, Congress first authorized state governments to permit “inherently low-emission” vehicles (pursuant to Title 40 CFR Sec. 88.311–93), such as electric and other alternative fuel vehicles, to use the HOV lanes on the federal interstate highway system without meeting the passenger occupancy requirements. This authority was reauthorized through fiscal year 2017 in the Moving Ahead for Progress in the 21st Century Act (MAP-21) in 2012. Subsequently, Congress expanded this authority to include county and municipal governments in the Fixing America’s Surface Transportation (FAST) Act of 2015. The FAST Act also made all alternative fuel vehicles and those eligible for the clean vehicle tax credit (Sec. 30D(d)(1) of the Internal Revenue Code) eligible for HOV access per state, local, and county governments’ discretion and reauthorized this authority through federal fiscal year 2025.

The discretionary authority for state, county, and local governments to permit alternative fuel vehicles to use HOV lanes currently expires on September 30, 2025. ZETA urges the Committee to reauthorize this authority as written in the upcoming surface transportation reauthorization bill, if not prior.

### **Clarify MUTCD Signage Eligibility for EV Charging Stations to Support Private Sector Investment**

Highway signage is a critical tool for increasing visibility and consumer awareness of available EV charging infrastructure, particularly for drivers traveling long distances. As more consumers adopt EVs, it is essential that federal policy supports clear and consistent identification of charging locations along major roadways.

The 11th Edition of the *Manual on Uniform Traffic Control Devices* (MUTCD), which went into effect in January 2024, appropriately allows EV charging to be listed on specific service signs on highway signage. However, the MUTCD currently references eligibility criteria from 23 CFR 680.106, requirements originally developed for federally funded projects under the NEVI Program. These requirements include prescriptive standards on charging port minimums, connector types, payment options, and installation design — criteria that were not intended for privately funded infrastructure and are misaligned with the intent of MUTCD signage guidance.

While minimum standards play a role in ensuring consistency across federally funded projects, applying NEVI-specific requirements to privately developed charging stations undermines the role of the private sector in expanding charging access. The EV charging industry is evolving rapidly, and locking signage eligibility to fixed technical requirements, especially those tailored to one federal funding program, creates a risk of entrenching outdated standards and slowing innovation.

Moreover, the MUTCD is infrequently updated, with the last edition published in 2009 — a 14-year gap before the 2023 update. As a result, overly specific eligibility requirements will not keep pace with the speed of technological advancement, limiting flexibility for infrastructure operators and state departments of transportation seeking to improve wayfinding for EV drivers.

ZETA recommends that Congress clarify that highway signage eligibility under the MUTCD for EV charging stations should not be contingent upon compliance with 23 CFR 680.106. Instead, eligibility should be based on basic operational criteria, such as minimum availability and public accessibility, which can accommodate a wide variety of charging business models and technologies.

### **Clean School Bus (CSB) Program**

Established under the IIJA, the Clean School Bus Program provided \$5 billion over five years (FY 2022-2026) to replace existing school buses with zero-emission and clean school buses. The Environmental Protection Agency's (EPA) initial rebate opportunity, announced in May 2022 at \$500 million, was heavily oversubscribed, leading EPA to increase the available amount to \$965 million.<sup>12</sup> As of July 2025, the CSB has delivered 8,500 clean school buses to over 1,200 school districts across the country.<sup>13</sup> Given the significant public interest in participating in this program and its historical bipartisan support, we encourage Congress to reauthorize the CSB Program and authorize funding over FY27-FY31 at the previously authorized level.

### **Low or No Emission Grant Program**

The Low or No Emission Grant Program has provided billions of dollars in support for public transit buses and bus facilities since it was first established in the Moving Ahead for Progress in the 21st Century Act (MAP-21). This program offers grants to states and local governments for the purchase of buses or upgrades to facilities. Grantees are able to purchase buses with a diverse mix of eligible drivetrains, including zero-emission buses (electric and hydrogen), hybrids,

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<sup>12</sup> EPA press release - September 2022. ([EPA](#))

<sup>13</sup> All About the Clean School Bus Program ([Electric School Bus Initiative](#))

compressed natural gas (CNG), and propane-fueled buses. The Low or No Emission Grant Program is competitive, providing continued flexibility to select awardees. In addition, the program requires the purchase of American-made buses with the use of funds, so it is a pivotal policy in supporting domestic manufacturing and ensuring the future growth of the North American commercial vehicle sector.

Today, the U.S. transit bus fleet totals around 70,000 units, serving Americans in all 50 states and territories across the country.<sup>14</sup> This program was reauthorized in IIJA, with the most recent round of grant funding last year providing nearly \$1.5 billion in funding to transit agencies across the country to purchase over 1,100 American-made buses.<sup>15,16</sup>

For a decade, the Low or No Emission Grant Program has allowed states, local government agencies, and territories to apply for funding each fiscal year to update their transit bus fleets, while also supporting domestic bus and van manufacturing. ZETA asks the Committee to reauthorize and fund this program at the previously authorized level to provide state and local governments with certainty as they continue to modernize their bus fleets.

### **Provide for Commercial Vehicle Axle Weight Distribution Flexibility**

23 U.S.C. § 127(a) prescribes axle weight limits for commercial vehicles on the Interstate System to protect roads and bridges. Under this requirement, a single axle maximum weight is set at 20,000 pounds, a tandem axle limit set at 34,000 pounds, and a gross vehicle weight maximum of 80,000 pounds (or 82,000 pounds total for EVs and natural gas-powered vehicles, as amended by the Consolidated Appropriations Act of 2019).<sup>17</sup> ZETA requests that this language be amended to allow flexibility in how weight is distributed between single axles, while maintaining the current gross vehicle weight of 82,000 for EVs and natural gas vehicles, to reflect design innovations in advanced technology buses.

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<sup>14</sup> Transit Buses By Fuel Type. ([Alternative Fuels Data Center.](#))

<sup>15</sup> FTA July 2024 grant announcement. ([DOT](#))

<sup>16</sup> Low or No Emission Grant Program - 5339(c). ([DOT](#))

<sup>17</sup> 23 U.S.C. § 127- Vehicle weight limitations—Interstate System. ([Cornell Law](#))