

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2817

BY DELEGATES CANNON, LINVILLE, RILEY, KEATON,

SHAMBLIN AND CHIARELLI

[Passed March 7, 2023; in effect ninety days from passage.]

FILED

2023 MAR 28 P 4: 53

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

HB 2817

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1 AN ACT to amend and reenact §24-2D-2 and §24-2D-3 of the Code of West Virginia, 1931, as
2 amended, all relating to Public Service Commission jurisdiction over alternative fuel for
3 motor vehicles; clarifying the definitions of alternative fuel and alternative fuel vehicles;
4 limiting Public Service Commission jurisdiction over temporary electric charging locations
5 for alternative fuel vehicles with movable generators, provided the temporary electric
6 charging locations are at fairs, festivals, and other special events, at locations where the
7 electric distribution grid has been adversely effected by emergencies or disasters, natural
8 or otherwise; or at locations which facilitate evacuations from such emergencies or
9 disasters, impending or otherwise; and making technical improvements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2D. ALTERNATIVE FUEL INITIATIVES.

§24-2D-2. Incentives for use of alternative fuels in new technologies.

1 (a) For purposes of this article, "alternative fuel" shall mean natural gas, methanol,
2 propane, and electricity, and "alternative fuel vehicles" shall mean motor vehicles whose primary
3 source of fuel is natural gas, methanol, propane, or electricity.

4 (b) Upon a finding that it is in the public interest of this state to authorize the same, as
5 provided in section one, article one of this chapter, the Public Service Commission shall authorize
6 ratemaking allowances for public utilities to encourage the use of alternative fuel in new
7 demonstration technologies, including alternative fuel vehicles, which provide incentives to
8 encourage investments in such technologies.

**§24-2D-3. Limitation on commission jurisdiction over sales by nonutilities of alternative
fuel for certain purposes, limitations on jurisdiction for temporary electric charging
of alternative fuel motor vehicles.**

1 (a) Notwithstanding any provision of this chapter to the contrary, the Public Service
2 Commission shall have no jurisdiction over the ultimate sale by nonutilities of alternative fuel to
3 be utilized solely as fuel for motor vehicles.

4 (b) Notwithstanding any provision of this chapter to the contrary, persons or entities
5 generating electricity for retail sale for alternative fuel vehicles at temporary electric charging
6 locations using movable generators are not public utilities and the Public Service Commission
7 shall have no jurisdiction thereover: *Provided*, That the temporary electric charging locations are:
8 (1) at fairs, festivals, and other special events; (2) at locations where the electric distribution grid
9 has been adversely effected by emergencies or disasters, natural or otherwise; or (3) at locations
10 which facilitate evacuations from such emergencies or disasters, impending or otherwise.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

Steve Harrison
.....
Clerk of the House of Delegates

Joe Linn
.....
Clerk of the Senate

FILED
2023 MAR 28 P 4: 53
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Originated in the House of Delegates.

In effect ninety days from passage.

Greg Van der ...
.....
Speaker of the House of Delegates

C. P. ...
.....
President of the Senate

The within is *Approved* this the *28th*
Day of *March* 2023.

James ...
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 16 2023

Time 3:59pm