AMENDMENT TO RULES

COMMITTEE PRINT 117–8

OFFERED BY MR. NORCROSS OF NEW JERSEY

Page 394, after line 3, insert the following:

(e) Utilization of Qualified Electricians on Electric Charging Infrastructure.—

(1) Requirement.—All EVSE projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act (and the amendments made by this Act) shall be performed entirely by qualified electricians.

(2) Reporting.—

(A) Before commencing work on an EVSE project described in paragraph (1), the contractor shall certify to the contracting agency that the contractor and its subcontractors shall comply with the requirements of this section.

(B) While the project is ongoing, a contractor shall submit to the contracting agency periodic reports listing the location of the project, name of each qualified electrician on the project and the electrician’s EVITP certification number.
(C) A contractor and any subcontractor shall maintain all personnel records relating to the requirements of this subsection for a period of at least 3 years after final completion of the work.

(D) The information under this subsection shall be public and shall not be exempt from disclosure under section 552(b) of title 5, United States Code, or any other similar State, local, or Tribal law.

(E) If a contracting agency determines that any of the information described in this subsection contains false or misleading information that was provided knowingly or with reckless disregard for the truth, or omits information that was omitted knowingly or with reckless disregard of the truth, the contractor or subcontractor for which the information was submitted shall be prohibited from performing work on projects described in paragraph (1) for a period of 5 years, and shall be further subject to penalties and sanctions, including contract termination.

(F) Any misrepresentation or omission included in the reporting required by this sub-
section shall constitute a false record or statement material to a false or fraudulent claim for purposes of subchapter III of chapter 37 of title 31, United States Code.

(3) ENFORCEMENT.—

(A) If a contracting agency determines, upon receipt of a complaint or its own initiative, that a project described in subsection (a) is not being carried out in accordance with the requirements of this section, the contracting agency shall withhold from or require the payment by the contractor of a penalty, in the amount of not less than $5,000 but not more than $10,000, depending on the severity of the violation and the compliance history of the contractor. Such violations shall be grounds for contract termination.

(B) Contractors shall be jointly and severally liable for any violation committed by a subcontractor under this section.

(C) Contractors and subcontractors that violate this section shall be prohibited from performing work on projects described in subsection (a) for a period of five years.
(4) DEFINITIONS.—In this subsection, the following definitions apply:

(A) CONTRACTING AGENCY.—The term “contracting agency” means a Federal agency or other entity carrying out an EVSE project on behalf of such agency. The term also includes recipients of Federal assistance, including a State, Indian Tribe, State transportation department, unit of local government, metropolitan planning organization, special purpose district or public authority with a transportation function, including a port authority, and a public-private partnership.

(B) CONTRACTOR.—The term “contractor” means a general contractor or other lead or prime contractor on a project described in paragraph (1).

(C) EVSE.—The term “EVSE” means Electric Vehicle Supply Equipment or other infrastructure related to the charging of light-, medium-, and heavy-duty electric vehicles, including commercial and public sector fleets. EVSE shall also include shipside or shoreside electrification for vessels and ground support equipment at ports.
(D) EVSE PROJECT.—The term “EVSE project” means the construction, installation, or placement of EVSE in any location, including multi-unit dwellings, single-family homes, commercial buildings, public buildings, public and private parking areas or facilities, depots, rest areas, truck stops, airports, ports, and hubs for multiple forms of transportation.

(E) QUALIFIED ELECTRICIAN.—The term “qualified electrician” means an electrician who has completed training under the Electric Vehicle Infrastructure Training Program (EVITP) and obtained an EVITP certification.

(F) SUBCONTRACTOR.—The term “subcontractor” means any person or company, at any level, that performs some or all the obligations of the contractor on a project described in paragraph (1).