



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
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www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF THE ELECTRIC VEHICLE) ORDER APPROVING
PROGRAM COMPLIANCE FILING) EXEMPTION CRITERIA
)
) DOCKET NO. QO20030262

Party of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

This Order sets forth limited exemption criteria for the Board of Public Utilities' ("Board" or "BPU") Charge Up New Jersey Program which are necessary due to delays and closures associated with COVID-19 safety procedures.

BACKGROUND AND PROCEDURAL HISTORY

On April 6, 2020, the Board approved revisions to the Fiscal Year 2020 ("FY20") budget for New Jersey's Clean Energy Program ("NJCEP"), as well as the program guidelines for the Charge Up New Jersey electric vehicle ("EV") incentive program ("Program").¹ The Fiscal Year 2021 ("FY21") Compliance Filing was approved by the Board on September 23, 2020.² The intent of the Charge Up New Jersey program is to encourage the purchase or lease of new light-duty plug-in electric vehicles in the State, and assist New Jersey residents with making the switch to driving electric, consistent with the Electric Vehicle Act of 2020 ("EV Act"), N.J.S.A. 48:25-1 et seq.

¹ I/M/O The Clean Energy Order Programs And Budget For Fiscal Year 2020 - 2nd Budget Revisions And Electric Vehicle Program Compliance Filing, BPU Docket No. QO19050645 and QO20030262, Order dated April 6, 2020.

² I/M/O The Clean Energy Programs and Budget For Fiscal Year 2021, BPU Docket No. QO20080539, Order dated September 23, 2020.

While processing applications for the Program, Staff was notified by hopeful program participants that issues with complying with the approved terms and conditions existed due to delays in processing driver license renewals through the New Jersey Motor Vehicle Commission (“MVC”).

The Program requires that applicants have a valid New Jersey driver license; however, due to delays through the MVC, two issues occurred. First, some applicants, including those who had their license expiration extended by Governor Murphy and the MVC as part of the COVID-19 precautions, have been unable to renew their licenses due to MVC office closures.³ Second, some applicants who have recently moved into the State of New Jersey have been unable to acquire a New Jersey driver license due to COVID-19 related delays and closures at the New Jersey MVC. These administrative delays have prevented Program applicants from obtaining a valid New Jersey driver license, thus leaving them with their expired or out-of-state licenses. Therefore, these prospective applicants fail to meet the required Program eligibility requirements of having a valid New Jersey license, through no fault of their own.

Additionally, the FY21 Compliance Filing for the Program guarantees that incentive checks will be received by the applicant within 120 days. Due to COVID-19, there have been administrative delays associated with the processing and issuing of incentive checks to those applicants and may take longer than 120 days.

BOARD STAFF RECOMMENDATIONS

Staff recommends the following limited exemptions to the Program’s terms and conditions. The proposed exemptions will only affect the applicants who exclusively meet the following criteria for exemption. All other program requirements listed in the terms and conditions of the FY21 Compliance Filing at the time of application are still required.

Staff recommends that applicants whose New Jersey driver licenses have expired and who have been unable to renew their licenses due to COVID-19 related delays can produce alternative documentation. These alternative documents must include:

- (1) A New Jersey driver license that expired between March and December 2020;
- (2) Proof that the applicant cannot renew online (a print out of the denial will suffice) or proof that the applicant scheduled an appointment to renew in person;
- (3) A signed affidavit that states the applicant is a current resident of New Jersey and was prevented from renewing his/her license due to administrative delays at the MVC; and

³ State of New Jersey, Governor Phil Murphy, *ICYMI: NJMVC Extends Expiration Dates for Driver Licenses, Registrations, and Inspections In Response to COVID-19 Outbreak*. March 14, 2020. Available at <https://www.nj.gov/governor/news/news/562020/20200314a.shtml>

- (4) A copy of a deed, lease, or utility bill demonstrating residency in the State of New Jersey. This documentation must show the applicant's name and include a New Jersey address. If the deed, lease, or utility bill is not in the applicant's name, please provide a signed letter by the person whose name does appears on the document stating that the applicant resides at the address.

Additionally, Staff recommends that applicants who: (1) currently possess an out-of-state driver license; (2) moved to New Jersey in 2020; and (3) meet all other Program criteria be provided with additional time to obtain a New Jersey driver license. Staff recommends extending the 14-day application period to 180 days to upload all required documentation. Applicants must also produce a copy of a deed or lease agreement for a New Jersey property executed in 2020. This documentation must show the applicant's name, include a New Jersey address and be dated sometime in 2020. If the deed or lease is not in the applicant's name, the applicant is to provide a signed letter by the person whose name does appear on the document stating that the applicant resides at the address.

Staff recommends that the guaranteed time period for the issuance and receipt of Program incentive checks for the post-purchase incentive be extended from 120 days to 180 days.

DISCUSSION AND FINDINGS

The Board recognizes the inability for applicants to comply with the approved Program terms and conditions as a result of MVC delays due to COVID-19 related closures. The limited exemptions proposed here are narrow to ensure the Program maintains its integrity while still achieving its overarching goals.

Accordingly, the Board **FINDS** that the exemptions recommended by Staff are prudent for the Charge Up New Jersey Program and in accordance with the accepted procedures for the Charge Up New Jersey Program.⁴

Therefore, the Board **HEREBY APPROVES** the exemption criteria for the Charge Up New Jersey Program. In addition, the Board **HEREBY APPROVES** the updates to the FY21 Compliance Filing for the Charge Up New Jersey Program. The Board **HEREBY ORDERS** the Program Administrator to record and share with Staff all applicants who may receive an exemption as a result of this Order. The Board further **HEREBY ORDERS** the application processing team to expedite those applications that must be re-submitted in light of this Order.

⁴ In the Matter of the Clean Energy Order Programs and Budget for Fiscal Year 2020 – 2nd Budget Revisions and Electric Vehicle Program Compliance Filing, BPU Docket No. QO20030262 (Order dated April 17, 2020).

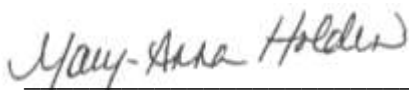
This Order shall be effective on January 28, 2021.

DATED: January 27, 2021

BOARD OF PUBLIC UTILITIES
BY:



JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

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