

May 14, 2021

Stephanie Pollack, Acting Administrator
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey S.E.
Washington, DC 20590

Attention: Docket No. FHWA 2020-001

RE: National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Revision

Dear Acting Administrator Pollack:

The Northeast States for Coordinated Air Use Management (NESCAUM) offers the following comments on the Federal Highway Administration's (FHWA's) notice of proposed amendments to the National Standards for Traffic Control Devices: Manual on Uniform Traffic Control Devices (MUTCD), 85 Fed. Reg. 80898 (December 14, 2020). NESCAUM's comments are focused on the need to provide states with greater flexibility to expand highway signage about electric vehicle (EV) charging stations, thus ensuring that highway signage can keep pace as consumer adoption of EVs accelerates.

NESCAUM is the regional association of air pollution control agencies representing Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NESCAUM provides technical analysis and policy advice to its member states on a wide range of air pollution, climate, and clean transportation issues, and also facilitates a multi-state initiative to accelerate EV adoption.¹

NESCAUM is concerned that the proposed amendments would prohibit states from allowing businesses that offer EV charging to appear on Specific Service (highway logo) signs in most circumstances. Given that the EV market is nearing a point of inflection, the proposed MUTCD revisions should give states flexibility to expand highway signs that provide information about charging services available to EV motorists. Previous MUTCD editions have remained in effect for five to ten years, a fact which underscores the need for the upcoming edition to address this.

Multiple developments provide evidence of an approaching inflection point in EV market growth. Collectively, automakers and suppliers have pledged \$250 billion in electrification

¹ See State Zero-Emission Vehicles Program Memorandum of Understanding, available at <https://www.nescaum.org/documents/zev-mou-10-governors-signed-20191120.pdf>. See also Multi-State ZEV Action Plan, available at <https://www.nescaum.org/documents/2018-zev-action-plan.pdf>.

investments by 2023 and IHS Markit projects there will be 130 EV models available in the U.S. by 2026.² These models will be offered at a range of purchase prices and will include popular vehicle types such as SUVs and crossovers that were not widely available during the early years of the market. Recent consumer surveys show that interest in considering an EV purchase is also on the rise.³ There are a range of projections for how quickly the number of EVs on the nation's roads will increase over the next decade, but most industry experts expect a large jump. A recent analysis by Deloitte, for example, projects that EVs will make up 27 percent of new vehicle sales in the United States by 2030.⁴

California's Zero Emission Vehicle (ZEV) regulation, which requires automakers to deliver an increasing number of ZEVs to market, will ensure sales growth. In addition to California, ten states have adopted the ZEV regulation. Together, these states comprise nearly one-third of the nation's new car sales market, and several additional states are in the process of adopting the ZEV regulation or have announced plans to do so. California is currently developing new ZEV requirements for vehicles beyond the 2025 model year. The new requirements are expected to put market growth on pace for all new vehicle sales being ZEVs by 2035. State EV purchase incentives, charging infrastructure planning and grants, and other market-enabling measures will also support and accelerate EV sales trends.

As more Americans make the switch to driving electric, the number of charging stations in highway corridors is expected to grow exponentially. According to the Department of Energy's National Renewable Energy Lab there are now more than 1,200 fast charging stations with 5,000 ports located within 5 miles of an FHWA designated EV corridor.⁵ Charging providers, such as Electrify America and others, have announced plans to continue significant investments in corridor charging during the next several years and beyond to provide charging for long-distance travel and to meet the needs of EV motorists without home charging. These stations will deliver faster charging times as technology improves, with many able to deliver a full charge in 20 minutes or less. Utility investments, along with public grant and incentive programs, will also support the buildout of corridor charging networks. Moreover, President Biden's recently announced *America Jobs Plan* seeks to add 500,000 new charging stations across the U.S. and pledges federal funding to support this deployment.

² Auto Industry EV Policy Letter to President Biden. Alliance for Automotive Innovation. March 30, 2021. Available at <https://www.autosinnovate.org/posts/press-release/ev-policy-letter-to-president-biden#:~:text=IHS%20Markit%20predicts%20there%20will,in%20the%20U.S.%20by%202026.&text=And%20despite%20growing%20consumer%20interest,new%20vehicle%20sales%20last%20year>.

³ See, e.g., "New Consumer Reports survey finds majority of drivers are interested in electric vehicles," *Consumer Reports*, December 17, 2020 Available at: https://advocacy.consumerreports.org/press_release/new-consumer-reports-survey-finds-most-drivers-are-interested-in-electric-vehicles/.

⁴ "Electric Vehicles, Setting a Course for 2030," *Deloitte Insights*, July 28, 2020. Available at: <https://www2.deloitte.com/us/en/insights/focus/future-of-mobility/electric-vehicle-trends-2030.html>.

⁵ "Station Data for Nominating Alternative Fuel Corridors." U.S. Department of Energy Alternative Fuels Data Center. Available at: <https://afdc.energy.gov/corridors>. Accessed December 21, 2020.

As the number of highway motorists driving EVs grows, these motorists will need, and expect to see, highway signs that help them safely and conveniently locate charging stations while en route. Adequate signage will be especially important in a transitional phase before charging stations become as common as gasoline and diesel stations. A driver who misses a station when low on charge could become stranded on the roadway, a safety risk particularly in rural areas with limited cellular service. Signs are needed both to alert motorists when charging is available at an exit, and to inform them about which facilities or businesses offer charging services.

FHWA's proposed revisions to the MUTCD would curtail states ability to provide such signs in two important ways. First, the revisions would explicitly prohibit EV charging facilities that do not also sell gasoline from qualifying for placement on a Specific Service sign. FHWA proposes that states can use blue General Service signs with a generic symbol of a charging station.⁶ However, these signs do not provide information about which businesses or facilities offer charging, information that is important for enabling drivers to locate charging services.

Second, FHWA's revisions would allow gas stations that qualify for placement on GAS Specific Service signs to notify motorists that they offer charging services by adding "EV CHARGING" as a supplemental word message under their business logos, but other businesses qualifying for placement on a FOOD, LODGING or ATTRACTION Specific Service sign would be prohibited from using such messages.⁷ At present, there are few charging stations installed at gas stations; they are much more commonly found at restaurants, hotels, retail centers, and tourist attractions. Allowing gas stations to inform EV motorists of available charging services using supplemental messages while prohibiting other businesses from doing the same is arbitrary and fundamentally unfair to EV drivers and to the businesses providing these important traveler services.

FHWA should update the MUTCD in a manner that gives states flexibility to add EV charging facilities to their existing sign programs, including their Specific Service sign programs. There are many indications, as described above, that the EV market is approaching an inflection point. States need to ensure that there is sufficient highway signage to serve the growing number of motorists who refuel with electricity instead of with gasoline or diesel.

Sincerely,



Paul J. Miller
Executive Director

cc: NESCAUM Directors

⁶ 85 Fed. Reg. at 80,935.

⁷ *Ibid.*