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Body

The Current State of Electric Vehicle Incentives in New York and Beyond

Claire McNulty

Introduction

Electric vehicles (EVs) have enjoyed increasing popularity as an alternative to the U.S.'s overwhelmingly fossil fuel-based transportation sector. A series of ambitious climate goals in New York State and New York City, along with a proliferation of incentives, have jumpstarted investment in and development of EV charging infrastructure. Transportation accounts for the single largest portion of total greenhouse gas (GHG) emissions in the U.S.;[1] shifting from fossil-fuel powered cars to EVs presents an opportunity for significant GHG emission reductions.

The market share of EVs in the U.S. has grown consistently in recent years. Over one million plug-in EVs had been sold in the U.S. as of September 2024, and EVs accounted for 10.5% of total light-duty vehicle sales in that same month.[2] But achieving a large-scale shift to EVs will require a massive build-out of EV charging infrastructure.

Federal incentives have been instrumental in encouraging EV uptake to date. The Trump administration, however, has made a concerted effort to eliminate the so-called federal "EV mandate" through executive order and legislation alike. As a result, consumers and others committed to transitioning to EVs will likely need to rely in greater part on state and local incentives in the coming years. This article summarizes the federal, State, and local incentives that are in place to facilitate the shift to EVs in New York State and City, and contemplates the role the private sector may play in the change.

Background on EV Charging Infrastructure

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[1] In 2022, the transportation sector produced 28% of the country's GHG emissions, 57% of which came from light-duty (passenger) vehicles. *Fast Facts on Transportation Greenhouse Gas Emissions*, U.S. ENV'T PROT. AGENCY, *https://www.epa.gov/greenvehicles/fast-facts-transportation-greenhouse-gas-emissions* (last updated June 6, 2025)

[2] *Monthly EV Minute: Based on September 2024 Data,* JOINT OFF. OF ENERGY & TRANSP. (Nov. 4, 2024), *https://driveelectric.gov/news/september-ev-minute*.

Despite the increasing popularity of EVs in the U.S., the lack of EV charging infrastructure, in combination with limited battery capacity, remains a significant barrier to widespread adoption of EVs. Installing charging stations along travel corridors is a crucial step in ensuring that people feel confident driving their EVs long distances. In pursuit of this goal, many EV charger incentives prioritize the development of higher-voltage and fast-charging hubs.[3]

EV charging stations can provide three different "levels" of EV charging.[4] Level 1 charge allows for up to 5 miles of range per hour of charging and is compatible with standard 120-volt household outlets. Level 2 charge provides up to 20 miles of range per hour of charging, and requires mid-level voltage, similar to many large household appliances like drying machines. Level 3 chargers, also known as direct current (DC) fast chargers, allow for over 30 miles of range per 10 minutes of charging. These rapid chargers require over 480 volts of electricity and provide the most practical assistance to EV drivers, for whom fast-charging stations operate similarly to gas stations in terms of time and effort.[5] Various federal, state, and local initiatives have aimed to build out EV charging infrastructure, with a particular emphasis on DC fast chargers.

Federal Initiatives

The Biden administration took considerable steps to facilitate a shift away from carbon-fueled vehicles. President Biden championed two landmark laws passed in 2021 and 2022, which serve as the primary federal incentives for the transition toward EVs: the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). These laws include incentives for both EV purchasing and infrastructure. The Trump administration and Congress, however, have attempted to eliminate the laws' provisions spurring EV infrastructure.

The IIJA, which centers on EV charging infrastructure, sought to establish "a network of [EV] chargers and support the transition to electrification across all types of vehicles."[6] Accordingly, the IIJA included $7.5 billion for two programs that support building out EV chargers throughout the country.[7] $5 billion of this bucket was allocated for a National EV Infrastructure (NEVI) Formula Program, which provides funding to state governments to deploy EV fast chargers near designated corridors. The remaining $2.5 billion was for a Charging and Fueling Infrastructure discretionary grant program for EV charging infrastructure and other types of alternative fuel infrastructure.[8]

On January 20, 2025, President Trump issued the "Unleashing American Energy" executive order, purportedly "terminating, where appropriate, state emissions waivers that function to limit sales of gasoline-powered automobiles; and by considering the elimination of unfair subsidies and other ill-conceived government-imposed

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[3] *See, e.g.*, *National Electric Vehicle Infrastructure (NEVI) Program*, NYSERDA, https://www.nyserda.ny.gov/All-Programs/Charging-Station-Programs/National-Electric-Vehicle-Infrastructure-Program (last visited Nov. 1, 2025); *Charging Station Programs*, NYSERDA, https://www.nyserda.ny.gov/All-Programs/Charging-Station-Programs (last visited Nov. 1, 2025).

[4] *Electric Vehicles*, N.Y.C. DEPT. OF TRANSP., https://www.nyc.gov/html/dot/html/motorist/electric-vehicles.shtml#/find/nearest (last visited Nov. 1, 2025).

[5] *Electric Vehicles*, *supra* note 4.

[6] WHITE HOUSE, BUILDING A BETTER AMERICA: A GUIDEBOOK TO THE BIPARTISAN INFRASTRUCTURE LAW FOR STATE, LOCAL, TRIBAL, AND TERRITORIAL GOVERNMENTS, AND OTHER PARTNERS (May 2022), https://bidenwhitehouse.archives.gov/wp-content/uploads/2022/05/BUILDING-A-BETTER-AMERICA-V2.pdf.

[7] ***Pub. L. No. 117-58***, § 11401(b), div. J, tit. VIII, Highway Infrastructure Program heading, ¶ 2, ***135 Stat. 429***, 546, 1421.

[8] Cong. Rsch. Serv., *EV Charging Infrastructure: Frequently Asked Questions* (Jan. 14, 2025), https://www.congress.gov/crs_external_products/R/PDF/R48351/R48351.1.pdf; *National Electric Vehicle Infrastructure (NEVI) Program*, NYSERDA, https://www.nyserda.ny.gov/All-Programs/Charging-Station-Programs/National-Electric-Vehicle-Infrastructure-Program (last visited Nov. 1, 2025).

market distortions that favor EVs over other technologies."[9] The executive order also instructed federal agencies to "immediately pause the disbursement of funds appropriated through" the IRA and the IIJA, including funds made available through the NEVI Formula Program.[10] It called for all agency heads to submit a report within 90 days of January 20, 2025 evaluating the laws' processes, policies, and programs for using grants, loans, contracts, or any other financial disbursements for compliance with the Executive Order's stated policy of eliminating the federal "EV mandate."[11]

On February 6, 2025, the Federal Highway Administration (FHWA), a U.S. Department of Transportation (USDOT) agency, issued a memorandum in compliance with the Unleashing American Energy executive order.[12] The February 6 memo rescinded all guidance under the NEVI Formula Program and suspended the approval of all State EV Infrastructure Deployment Plans for all fiscal years.[13] The memo—and USDOT's attempts to comply with President Trump's January 20 Executive Order—has sparked a great deal of controversy.

On May 7, 2025, Washington, New York, fourteen other states, and the District of Columbia sued USDOT and FHWA in Washington federal court for suspending or revoking State EV Infrastructure Deployment Plan approvals and withholding or withdrawing NEVI Formula Program funds.[14] Each of the plaintiffs was slated to receive funds under the NEVI Formula Program. Plaintiffs argued in their complaint that the federal agencies' compliance with President Trump's executive order was in "diametric opposition to [the IIJA's] statutory mandate" as well as violative of the Administrative Procedure Act and the Constitution.[15] On June 24, 2025, the Washington federal court granted plaintiffs' motion for a preliminary injunction, and enjoined USDOT and FHWA from suspending or revoking previously approved State Electric Vehicle Infrastructure Deployment Plans as well as withholding or withdrawing NEVI Formula Program funds for them.[16] The injunction went into effect on July 2, 2025. In response, USDOT issued interim final guidance directing the NEVI Formula Program to resume with various modifications on August 11, 2025.[17] The new guidance, among other things, "[m]inimizes the content in state plans to statutory and regulatory requirements"; "[m]inimizes requirements for states to consider electric grid integration and renewable energy"; and "[p]rovides states with more flexibility to determine when their system is built out allowing NEVI funds to be used on public roads statewide."[18] The states' litigation is ongoing, but USDOT's new guidance aligns with the Washington federal court's finding that plaintiffs were likely to prevail on the merits of their Administrative Procedure Act and separation of powers claims.

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[9] *90 Fed. Reg. 8353 (Jan. 29, 2025)*.

[10] 90 Fed. Reg. at 8357.

[11] 90 Fed. Reg. at 8357.

[12] Memorandum from Fed. Highway Admin. to State Dept. of Transp. Dirs., Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans (Feb. 6, 2025) [hereinafter NEVI Suspension Memorandum], *https://perma.cc/FNZ9-747G*.

[13] NEVI Suspension Memorandum, *supra* note 12.

[14] Complaint, Washington v. U.S. Dept. of Transp., No. 2:25-cv-00848 (W.D. Wash. May 7, 2025), *available at* *https://climatecasechart.com/case/washington-v-us-department-of-transportation* (last visited Nov 1, 2025).

[15] Complaint, *supra* note 14, at 3.

[16] *Washington v. U.S. Dept. of Transp., 2025 U.S. Dist. LEXIS 119844 (W.D. Wash. June 24, 2025)*.

[17] Fed. Highway Admin., National Electric Vehicle Infrastructure Formula Program Interim Final Guidance (Aug. 11, 2025), *https://www.fhwa.dot.gov/environment/nevi/resources/NEVI-Interim-Final-Program-Guidance-8-11-2025.pdf*.

[18] Press Release, Fed. Highway Admin., President Trump's Transportation Secretary Sean P. Duffy Unveils Revised NEVI Guidance to Allow States to Actually Build EV Chargers (Aug. 11, 2025), *https://highways.dot.gov/newsroom/president-trumps-transportation-secretary-sean-p-duffy-unveils-revised-nevi-guidance*.

Similarly, on May 22, 2025, the federal Government Accountability Office (GAO), the investigative arm of Congress, published a decision finding that USDOT's withholding of appropriations for the NEVI Formula Program constituted an improper deferral under the Impoundment Control Act (ICA).[19] The GAO determined that USDOT was not authorized to withhold such funds, and instead would need to propose funds for rescission or propose new legislation to enact such changes.[20]

The GAO determination, the Washington federal court's preliminary injunction, and USDOT's recent interim guidance all indicate that President Trump will need to continue to disburse NEVI Formula Program funds. At this time, the vast majority of the IRA's and IIJA's funds have already been obligated; at least $92.5 billion in grants had been awarded by November 2024, accounting for 80% of the available funds for the fiscal year that ended in September 2024.[21]

New York State, which opened one of the first NEVI-funded EV charging stations in the country in December 2023,[22] is slated to receive a total of $175 million through the NEVI Formula Program over a five-year period.[23] Although the Trump administration's efforts to eviscerate federal EV incentives have encountered some resistance, its actions have nevertheless been destabilizing for the EV market. States are unsure whether they will receive federal funds in the face of such volatility, leaving state programs in limbo.

President Trump has also deployed legislation to weaken federal EV incentives. On July 4, 2025, he signed into law the "One Big Beautiful Bill Act," a massive tax-and-spending package that further erodes the EV incentives enacted during the Biden administration. The law eliminated the IRA's $7,500 tax credit for individual consumers who lease or buy both new or used EVs after September 30, 2025.[24] It rescinded the "unobligated balances of amounts" made available under the advanced technology vehicle manufacturing loan program, which afforded $3 billion in loans for EV manufacturers.[25] It also retracted the alternative fuel vehicle refueling property tax credit, which incentivized EV charging infrastructure in rural and underserved communities, and the commercial clean vehicle credit, which encouraged public and private fleet operators to purchase EVs.[26]

The Trump administration's attempts to dispense with federal EV incentives have left states and private actors with a great deal of uncertainty. Regardless of the longevity of federal EV measures, however, consumers and industry actors in New York looking to turn to EVs can still take advantage of various state and local incentives.

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[19] U.S. Gov't Accountability Off. (GAO), File No. B-337137, U.S. Department of Transportation, Federal Highway Administration – Application of the Impoundment Control Act to Memorandum Suspending Approval of State Electric Vehicle Infrastructure Deployment Plans (May 22, 2025), *https://www.gao.gov/products/b-337137*. The Impoundment Control Act sets forth a narrow set of circumstances under which the President may withhold funds that have been appropriated by Congress, none of which applied to the February 6 memo, according to the GAO.

[20] GAO, *supra* note 19.

[21] Kate Sinding Daly, *Can They Do That? Deflating the Inflation Reduction Act*, CONSERVATION L. FOUND. (Dec. 19, 2024), *https://www.clf.org/blog/can-they-do-that-deflating-the-inflation-reduction-act/*.

[22] *National Electric Vehicle Infrastructure (NEVI) Program*, *supra* note 8.

[23] *National Electric Vehicle Infrastructure (NEVI) Program*, *supra* note 8.

[24] One Big Beautiful Bill Act, ***Pub. L. No. 119-21***, § 70502, ***139 Stat. 72***, 250 (2025); *EV and Charging Tax Credits After the One Big Beautiful Bill Act*, ELECTRIFICATION COAL. (July 17, 2025), *https://electrificationcoalition.org/resource/ev-and-charging-tax-credits-after-the-one-big-beautiful-bill-act/*.

[25] One Big Beautiful Bill Act, § 50402, 139 Stat. at 152.

[26] *EV and Charging Tax Credits After the One Big Beautiful Bill Act*, *supra* note 24.

Initiatives in New York State

Given the unpredictable federal regulatory and legislative landscape under the Trump administration, state measures will likely serve as the primary source for EV incentives in the coming years. New York State has already established itself as a leader in driving the transition, aiming to achieve net-zero GHG emissions statewide by 2050[27] and 100% zero-emission new light-duty passenger vehicle sales or leases by 2035.[28] These targets align with its ambitious GHG-reduction goals, including reducing GHG emissions by 40% from 1990 levels by 2030 and 85% by 2050.[29] Consumer trends show that EV use is already on the rise; registration for new EVs in New York surged by 231% from 2020 to 2022,[30] and more than 150,000 are currently registered in the State.[31] But this still represents less than 2% of New York's registered vehicles, and remains a far cry from the estimated two million EVs that must be on the road by 2030 to meet the State's climate goals.

New York State has put in place various initiatives to incentivize EV uptake, primarily through programs established by the New York State Energy Research and Development Authority (NYSERDA). NYSERDA's Clean Transportation Program aims broadly to promote the use of clean transportation technologies, including a rebate program for EV purchasers and programs to incentivize building charging stations.[32] The New York Power Authority (NYPA) and New York State Department of Environmental Conservation (DEC) have also created programs with similar goals.

NYSERDA's Clean Transportation Program features several incentives to make clean transportation technologies more competitive, as well as research, development, pilot, and demonstration projects to implement "scalable, market-ready clean transportation technologies, products, and services."[33] Additionally, its Drive Clean Rebate Program allows consumers to collect a rebate of up to $2,000 when purchasing one of more than 60 models of EVs.[34] The rebate amount depends on the all-electric range for that car model—the greater the range, the greater the rebate. Cars that have a range of more than 200 miles are eligible for the full $2,000 refund; those with a range of 40 to 199 miles may save up to $1,000; and vehicles with a range of less than 40 miles or a manufacturer's suggested retail price of greater than $42,000 are eligible for a $500 rebate.[35] The rebate serves as a powerful

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[27] *Climate Change Statutes, Regulations, and Policies*, DEPT. OF ENV'T CONSERVATION, https://dec.ny.gov/environmental-protection/climate-change/statutes-regulations-policies (last visited Nov. 1, 2025).

[28] *New York Becomes 2nd State to Mandate Zero-Emission Vehicles by 2035*, ABC 7 NY (Sep. 30, 2022), https://abc7ny.com/electric-vehicle-new-york-zero-emissions-cars/12279246/; *Electricity Laws and Incentives in New York,* U.S. DEPT. OF ENERGY, https://afdc.energy.gov/fuels/laws/ELEC?state=NY (last visited Nov. 1, 2025).

[29] *Greenhouse Gas Emissions Reduction*, NYSERDA, https://www.nyserda.ny.gov/Impact-Greenhouse-Gas-Emissions-Reduction (last visited Nov. 1, 2025).

[30] *Building Out Charging Infrastructure to Plug the Gaps in Access*, NYSERDA, https://www.nyserda.ny.gov/Featured-Stories/How-New-York-is-Preparing-for-an-EV-Future# (last visited Nov. 1, 2025).

[31] Noah Kolenda, *Will A New President Jumpstart the Transition to Electric Vehicles in New York, or Let It Stall?*, CITY AND STATE N.Y. (Oct. 28, 2024), https://www.cityandstateny.com/policy/2024/10/will-new-president-jumpstart-transition-electric-vehicles-new-york-or-let-it-stall/400623.

[32] *Charging Station Programs*, *supra* note 3.

[33] *Charging Station Programs*, *supra* note 3.

[34] *Drive Clean Rebate for Electric Cars*, NYSERDA, https://www.nyserda.ny.gov/All-Programs/Drive-Clean-Rebate-For-Electric-Cars-Program (last visited Nov. 1, 2025).

incentive for EV consumers in the state. DEC has also adopted a Municipal Zero-Emission Vehicle Program through which cities, towns, villages, and counties may receive rebates for the purchase or lease of eligible new zero-emission vehicles for fleet use.[36]

The State has also prioritized building out new EV infrastructure. NYSERDA's Charge Ready program makes available $12 million for rebates to both public and private entities for the purchase and installation of Level 2 charging stations at workplaces, multi-unit dwellings, or hotels and motels.[37] The Charge Ready program provides for rebates of $3,000 per charging port, and properties located within a disadvantaged community are eligible for an additional rebate of $1,000 per charging port.[38] A site may receive further rebates if it undertakes "additional actions to promote EV adoption."[39]

Similarly, DEC offers grants to cities, towns, villages, and counties to install Level 2 and DC fast charger EV supply equipment primarily for public use.[40] NYPA also plays a key role in EV development; its EVolve NY Program promotes the buildout of EV chargers. The Program allocates up to $250 million to install up to 400 new EV fast-charging stations throughout the state through early 2026; locate chargers along major highway corridors; position chargers close to highway exits; animate the private market for charging solutions by demonstrating the profitability of investing in EV infrastructure; and install fast-charging hubs in Yonkers, Albany, Syracuse, Rochester, Buffalo, and New York City.[41] Additionally, New York State offers a state tax credit to alternative fuel vehicle fueling infrastructure amounting to 50% of the infrastructure cost, which includes infrastructure for charging EVs.[42] Each of these programs works to ensure that EV drivers can recharge along major travel corridors quickly and conveniently, easing the process of shifting to EVs throughout the State.

Initiatives in New York City

In addition to the various State and federal incentives, New York City has implemented several initiatives to encourage the shift to EVs. Achieving reductions in transportation-related emissions will be crucial to attaining the City's ambitious goal to reduce GHG emissions to 40% below 2005 levels by 2030, and 80% below 2005 levels by 2050.[43]

PlugNYC, which is an offshoot of the City's larger PlaNYC initiative, focuses specifically on building out EV infrastructure. It established an EV Vision Plan in September 2021, which encompasses eight initiatives: (1)

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[35] *Electricity Laws and Incentives in New York*, *supra* note 28.

[36] *Grants for Climate Action*, N.Y. DEPT. OF ENV'T CONSERVATION, https://dec.ny.gov/environmental-protection/climate-change/resources-for-local-governments/grants-for-climate-action (last visited Nov. 1, 2025).

[37] *Charge Ready NY 2.0*, NYSERDA, https://www.nyserda.ny.gov/All-Programs/Charge-Ready-NY (last visited Nov. 1, 2025).

[38] *Charge Ready NY 2.0*, *supra* note 37.

[39] *Charge Ready NY 2.0*, *supra* note 37.

[40] *Grants for Climate Action*, *supra* note 36.

[41] *Electric Vehicle (EV) and Charging Infrastructure Support*, U.S. DEPT. OF ENERGY, https://afdc.energy.gov/laws/12002 (last visited Nov. 1, 2025); *EVolve NY: A Vision for an Electric Future*, EVOLVE NY/N.Y. POWER AUTH., https://evolveny.nypa.gov/en/fast-charging-hubs-electric-vehicles-new-york (last visited Nov. 1, 2025).

[42] *Electricity Laws and Incentives in New York*, *supra* note 28.

[43] *LL97 Greenhouse Gas Emissions Reduction*, N.Y.C. DEPT. OF BLDGS., https://www.nyc.gov/site/buildings/codes/ll97-greenhouse-gas-emissions-reductions.page (last visited Nov. 1, 2025).

growing the City-operated fast-charging network to over 80 plugs by 2025; (2) equipping 20% of all spaces in municipal public parking lots and garages with Level 2 chargers by 2025, increasing to 40% by 2030; (3) creating a network of 1,000 curbside charge points across the five boroughs by 2025, increasing to 10,000 by 2030; (4) developing a plan for a Level 2 and Level 1 user-supplied cord charging system that integrates with existing street infrastructure; (5) advocating for funding and supportive policies from the federal government; (6) working with utilities and regulators to make it easier and cheaper to install EV chargers; (7) engaging with EV stakeholders to better understand evolving EV market, technology, and charging needs through an "industry day" hosted by the New York City Department of Transportation (NYCDOT) and other agencies; and (8) increasing public awareness of EVs and charging opportunities through the PlugNYC marketing program.[44] Moreover, Local Law 55, enacted in March 2024, requires owners of small parking garages and parking lots with ten or more spaces to install EV chargers in 20% of parking spots and ensure an additional 40% of parking spots are capable of supporting EV chargers by January 1, 2035.[45]

Many EV charging stations already exist throughout the city. NYCDOT currently operates three DC fast-charging stations at City-owned public parking facilities at Court Square Municipal Parking Garage in Queens, the Queens Borough Hall Municipal Parking Garage in Queens, and the Delancey/Essex Municipal Parking Garage in Manhattan. NYCDOT Commissioner Ydanis Rodriguez announced in August 2024 that NYCDOT and the New York City Taxi and Limousine Commission (NYCTLC) were spearheading new fast-charging stations at parking fields in the Bronx and Brooklyn. The sites will feature four fast chargers—one 175-kW unit and three 50-kW units—and will be open to the public. Both sites appear to be under construction as of the date of this article's writing.[46] In March 2024, the New York City Economic Development Corporation selected Wildflower, a New York City-based developer, to build the City's largest publicly accessible EV charging station.[47] The station will feature 65 EV-ready charging stations and 12 rapid charging stations, with the capacity to expand in the coming years. Construction was projected to finish in 2025, although there have been no substantive public updates on the project since April 2024.[48]

Moreover, Mayor Eric Adams announced the Green Rides Initiative in January 2023, which requires 100% of rideshare trips in the city (such as Uber and Lyft) to be conducted by either zero-emission or wheelchair accessible vehicles by 2030. It aims to achieve this goal incrementally, starting with 5% of all high-volume trips in 2024, 15% in 2025, 25% in 2026, and 40% in 2027, and increasing yearly by 20 percentage points until reaching 100% in 2030.[49] The NYCTLC adopted rules to achieve these goals in November 2023.[50] New York City's robust set of goals and incentives related to EV use seeks to increase EV uptake in the coming years, despite backsliding of federal incentives.

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[44] *Electrifying New York: An Electric Vehicle Vision Plan for New York City*, N.Y.C. MAYOR'S OFF. OF CLIMATE & ENV'T JUSTICE, https://www.nyc.gov/html/dot/downloads/pdf/electrifying-new-york-report-text-only.pdf (last visited Nov. 1, 2025).

[45] N.Y.C., Local Law 55 (2024) (codified at N.Y.C. Admin. Code 28-315.12).

[46] *White Plains Road Municipal Field*, PLUGSHARE, https://www.plugshare.com/location/728747 (last visited Nov. 1, 2025); *Bensonhurst Municipal Field*, PLUGSHARE, https://www.plugshare.com/location/728748 (last visited Nov. 1, 2025).

[47] *NYCEDC Selects Wildflower to Develop the Largest Public Electric Vehicle Charging Station in New York City Near JFK Airport*, N.Y.C. ECON. DEV. CORP. (Mar. 20, 2024), https://edc.nyc/press-release/nycedc-selects-wildflower-develop-largest-public-electric-vehicle-charging-station.

[48] *See NYCEDC Selects Wildflower to Develop the Largest Public Electric Vehicle Charging Station in New York City Near JFK Airport*, *supra* note 47.

[49] *Green Rides*, N.Y.C. TAXI & LIMOUSINE COMM'N, https://www.nyc.gov/site/tlc/about/green-rides.page (last visited Nov. 1, 2025).

[50] *Green Rides Initiative*, N.Y.C. RULES, https://rules.cityofnewyork.us/rule/green-rides-initiative/ (last visited Nov. 1, 2025).

Private Sector Considerations

The private sector also plays a key role in facilitating the shift to EVs throughout the U.S. Private EV charging network operators—including Flo, which has partnered with New York City to oversee various public charging stations—will be central in bringing to fruition federal, State, and local goals related to EV deployment; private EV charging network operators will likely be the primary beneficiaries of the federal, State, and City incentives outlined above. The private sector is also uniquely positioned to spur innovation and adapt to the newest technological advancements, ensuring that the use of EVs becomes more cost-effective and streamlined. Private sector investment can help to fill the newfound gaps in federal incentives, and will likely be central in facilitating EV adoption in coming years.

Con Edison, one of the largest utility companies in New York State, has already begun offering incentives to private entities for installing EV charging stations in disadvantaged communities.[51] Should public charging infrastructure lag, EV owners will need to turn to private EV charging network operators to meet their charging needs. Indeed, many private EV charging network operators already have robust charging networks. Tesla, for example, has thousands of private "Supercharger" locations throughout the country.[52] New York City is home to two Supercharger sites, and Tesla is in the process of building a third.[53]

The private sector can also adapt nimbly to new technological advancements. Battery capacity remains a serious barrier to widespread use of EVs, and increasing battery capacity—as well as reducing costs associated with battery production—will be crucial to cultivating consumer appetite for EVs. The private sector can respond efficiently to emerging AI uses in EV charging, or yet-undiscovered uses related to EV uptake. Experts anticipate that AI will become increasingly helpful in analyzing EV charging behavior and detecting malfunctioning chargers.[54] Leveraging AI in this way would permit utilities to track when charging demand is highest, allowing them to better prepare for peak demand.[55] As such, ensuring the most effective and efficient switch to EVs will also require collaboration and coordination with the private sector.

Conclusion

The above initiatives will provide substantial support to the EV industry in the coming years. Despite a great deal of uncertainty surrounding federal measures under the Trump administration, state and local efforts—as well as private investment—still provide robust incentives for EV use in New York State and beyond.

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[51] *Incentives for Installing EV Charging Stations in Disadvantaged Communities*, ConEdison, https://www.coned.com/en/our-energy-future/electric-vehicles/power-ready-program/disadvantaged-community-areas (last visited Nov. 1, 2025).

[52] *Supercharger*, Tesla, https://www.tesla.com/supercharger (last visited Nov. 1, 2025).

[53] Suvrat Kothari, *$18 Million Tesla Supercharger Station Is Coming to New York City*, Inside EVs (Aug. 27, 2024), https://insideevs.com/news/731527/tesla-supercharger-station-nyc-queens-18-million/.

[54] Justine Calma, *How AI Could Change EV Charging*, Verge, May 29, 2024, https://www.theverge.com/2024/5/29/24162389/ai-ev-charging-pilot-study-university-of-michigan-utilidata.

[55] Calma, *supra* note 54.