

ergy after consultation with the Small Business Administration.

(Pub. L. 94-413, §3, Sept. 17, 1976, 90 Stat. 1261; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

#### CODIFICATION

Par. (1), which read “‘Administrator’ means the Administrator of the Energy Research and Development Administration”, has been omitted from the Code in view of the termination of the Energy Research and Development Administration and the transfer of the functions of the Administration and the Administrator thereof to the Secretary of Energy pursuant to sections 301(a) and 703 of Pub. L. 95-91 which are classified to sections 7151(a) and 7293 of Title 42, The Public Health and Welfare. “Secretary of Energy” has been substituted for “Administrator” wherever appearing in this chapter.

Par. (7), which read “‘Secretary’ means the Secretary of Transportation”, has been omitted from the Code as unnecessary. In view of the substitution of “Secretary of Energy” for “Administrator” in this chapter, and for clarity, “Secretary of Transportation” has been substituted for “Secretary” wherever appearing in this chapter.

#### TRANSFER OF FUNCTIONS

In par. (8), “Secretary of Energy” substituted for “Administrator” pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out above.

### § 2503. Duties of Secretary of Energy

#### (a) Establishment of project

The Secretary of Energy shall promptly establish, as an organizational entity within the Department of Energy, the Electric and Hybrid Vehicle Research, Development, and Demonstration Project.

#### (b) Management of project; arrangements with competent agencies

The Secretary of Energy shall have the responsibility for the overall management of the project. The Secretary of Energy may enter into any agreement or other arrangement with the National Aeronautics and Space Administration, the Department of Transportation, the National Science Foundation, the Environmental Protection Agency, the Department of Housing and Urban Development, the Department of Agriculture, or any other Federal agency, pursuant to which such agency shall conduct such specified parts or aspects of the project as the Secretary of Energy deems necessary or appropriate and within the particular competence of such agency, to the extent that such agency has capabilities which would enable it to contribute to the success of the project and the attainment of the purposes of this chapter.

#### (c) Promotion of research and development; demonstration projects; consumer needs; resulting changes

In providing for the effective management of this project, the Secretary of Energy shall have specific responsibility to—

- (1) promote basic and applied research on electric and hybrid vehicle batteries, controls, and motors;
- (2) determine optimum overall electric and hybrid vehicle design;
- (3) conduct demonstration projects with respect to the feasibility of commercial electric

and hybrid vehicles (A) by contracting for the purchase or lease of electric and hybrid vehicles for practical use, and (B) by entering into arrangements, with other governmental entities and with nongovernmental entities, for the operation of such vehicles;

(4) ascertain consumer needs and desires so as to match the design of electric and hybrid vehicles to their potential market; and

(5) ascertain the long-term changes in road design, urban planning, traffic management, maintenance facilities, utility rate structures, and tax policies which are needed to facilitate the manufacture and use of electric and hybrid vehicles in accordance with sections 2512 and 2513<sup>1</sup> of this title.

(Pub. L. 94-413, §4, Sept. 17, 1976, 90 Stat. 1262; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

#### REFERENCES IN TEXT

Section 2513 of this title, referred to in subsec. (c)(5), was repealed by Pub. L. 104-66, title I, §1051(o), Dec. 21, 1995, 109 Stat. 717.

#### TRANSFER OF FUNCTIONS

“Department of Energy” substituted for “Energy Research and Development Administration” in subsec. (a), and “Secretary of Energy” substituted for “Administrator” wherever appearing, pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

### § 2504. Coordination between Secretary of Energy and other agencies

#### (a) Consultation with Secretary of Transportation

In carrying out the project established under section 2503 of this title, the Secretary of Energy shall, to the maximum extent practicable, consult and coordinate with the Secretary of Transportation, with respect to any functions of the Secretary of Energy under this chapter which relate to regulatory activities or other responsibilities of the Secretary of Transportation, including safety and damageability programs.

#### (b) Assistance from other agencies

Each department, agency, and instrumentality of the executive branch of the Federal Government shall carefully consider any written request from the Secretary of Energy, or the head of any agency to which the Secretary of Energy has delegated responsibility for specified parts or aspects of the project, to furnish such assistance, on a reimbursable basis, as the Secretary of Energy or such head deems necessary to carry out the project and to achieve the purposes of this chapter. Such assistance may include transfer of personnel with their consent and without prejudice to their position and rating.

(Pub. L. 94-413, §5, Sept. 17, 1976, 90 Stat. 1262; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

#### CODIFICATION

In subsec. (a), “Secretary of Transportation” substituted for “Secretary” for clarity, see Codification note set out under section 2502 of this title.

<sup>1</sup> See References in Text note below.

## TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator” pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

**§ 2505. Research and development**

The Secretary of Energy, acting through appropriate agencies and contractors, shall initiate and provide for the conduct of research and development in areas related to electric and hybrid vehicles, including—

- (1) energy storage technology, including batteries and their potential for convenient recharging;
- (2) vehicle control systems and overall design for energy conservation, including the use of regenerative braking;
- (3) urban design and traffic management to promote maximum transportation-related energy conservation and minimum transportation-related degradation of the environment; and
- (4) vehicle design which emphasizes durability, length of practical lifetime, ease of repair, and interchangeability and replaceability of parts.

(Pub. L. 94-413, §6, Sept. 17, 1976, 90 Stat. 1263; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

## TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator” pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

**§ 2506. Demonstrations****(a) Data development; baseline data; acquisition of vehicles**

Within 12 months after September 17, 1976, the Secretary of Energy shall develop data characterizing the present state-of-the-art with respect to electric and hybrid vehicles. The data so developed shall serve as baseline data to be utilized in order (1) to compare improvements in electric and hybrid vehicle technologies; (2) to assist in establishing the performance standards under subsection (b)(1); and (3) to otherwise assist in carrying out the purposes of this section. In developing any such data, the Secretary of Energy shall purchase or lease a reasonable number of such vehicles or enter into such other arrangements as the Secretary of Energy deems necessary to carry out the purposes of this subsection.

**(b) Performance standards; factors considered; vehicle uses; revision; transmission of standards to Congress**

(1) Within 15 months after September 17, 1976, the Secretary of Energy shall promulgate rules establishing performance standards for electric and hybrid vehicles to be purchased or leased pursuant to subsection (c)(1). The standards so developed shall take into account the factors of energy conservation, urban traffic characteristics, patterns of use for “second” vehicles, consumer preferences, maintenance needs, battery recharging characteristics, agricultural require-

ments, materials demand and their ability to be recycled, vehicle safety and insurability, cost, and other relevant considerations, as such factors and considerations particularly apply to or affect vehicles with electric or hybrid propulsion systems. Such standards are to be developed taking into account (A) the best current state-of-the-art, and (B) reasonable estimates as to the future state-of-the-art, based on projections of results from the research and development conducted under section 2505 of this title. In developing such standards, the Secretary of Energy shall consult with appropriate experts concerning design needs for electric and hybrid vehicles which are compatible with long-range urban planning, traffic management, and vehicle safety.

(2) Separate performance standards shall be established under subsection (b)(1) with respect to (A) electric or hybrid vehicles for personal use, and (B) commercial electric or hybrid vehicles. Such performance standards shall represent the minimum level of performance which is required with respect to any vehicles purchased or leased pursuant to subsection (c). Initial performance standards under subsection (b)(1) shall be set at such levels as the Secretary of Energy determines are necessary to promote the acquisition and use of such vehicles for transportation purposes which are within the capability (as determined by the Secretary of Energy) of electric and hybrid vehicles.

(3) Such performance standards shall be revised, by rule, periodically as the state-of-the-art improves.

(4) The Secretary of Energy shall transmit to the Speaker of the House of Representatives and the President of the Senate, and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, the performance standards developed under paragraph (1) and all revised performance standards established in connection with the demonstrations specified in subsection (c)(2).

**(c) Contracts for vehicle purchase or lease; delivery requirements; demonstration criteria and duration; availability of information for leasing and procurements**

(1) The Secretary of Energy shall, within 6 months after the date of promulgation of performance standards pursuant to subsection (b)(1), institute the first contracts for the purchase or lease of electric or hybrid vehicles which satisfy the performance standards set forth under subsection (b)(1). The delivery of such vehicles shall be completed according to the expedited best effort of the administering agency and the selected manufacturer. To the extent practicable, vehicles purchased or leased under such contracts shall represent a cross-section of the available technologies and of actual or potential vehicle use.

(2) Thereafter, according to a planned schedule, the Secretary of Energy shall contract for the purchase or lease of additional electric or hybrid vehicles which satisfy amended performance standards and represent continuing improvements in state-of-the-art. In conducting demonstrations, the Secretary of Energy shall consider—