

**National Electric Vehicle Infrastructure Formula Program Interim Final Guidance**  
**Federal Highway Administration**  
**August 11, 2025**

Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the States or the public in any way. This document is intended only to provide information regarding existing requirements under the law or agency policies.

## **I. OVERVIEW**

The Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-58, established the National Electric Vehicle Infrastructure (NEVI) Formula Program. The Program was authorized under paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J of the IIJA.

The Program provides \$5 billion of funding to States to deploy electric vehicle (EV) charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability. Initially, funding under the Program is directed to infrastructure acquired or installed along designated Alternative Fuel Corridors (AFCs).<sup>1</sup> When a State determines and the Secretary certifies that AFCs in a State are fully built out, funding may be used for EV charging infrastructure on any public road or in other publicly accessible locations.

This August 11, 2025 interim final guidance supersedes all previous guidance documents issued with respect to the NEVI Program. This includes, but is not limited to:

- December 11, 2024 Build Out Certification – NEVI Formula Program Guidance
- June 11, 2024 NEVI Formula Program Guidance
- February 27, 2024 Method for Submitting EV Charger Data under 23 CFR 680.112
- State EV Deployment Plan Exception Requests
- State Plan/State Plan Update for EV Infrastructure Deployment Template

Per the January 29, 2025, memorandum from the Secretary of Transportation on the Implementation of Executive Orders Addressing Energy, Climate Change, Diversity, and Gender, this interim final guidance document rescinds previous guidance documents and policies that are not required by clear and express statutory language.

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<sup>1</sup> National Electric Vehicle Charging and Hydrogen, Propane, and Natural Gas Fueling Corridors (23 U.S.C. § 151(a)-(e)).

## II. FUNDING FEATURES

### A. AUTHORIZATION LEVELS

The IIJA appropriates a total of \$5.0 billion for the NEVI Formula Program over fiscal years 2022 through 2026. Table 1 shows the NEVI Formula Program levels by fiscal year.

#### INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA)

| Fiscal Year                          | 2022      | 2023      | 2024      | 2025      | 2026      |
|--------------------------------------|-----------|-----------|-----------|-----------|-----------|
| Advance Appropriation (General Fund) | \$1.000 B | \$1.000 B | \$1.000 B | \$1.000 B | \$1.000 B |

### B. NEVI FORMULA PROGRAM

#### Type of Budget Authority

Current and advance appropriations from the General Fund.

#### Period of Availability

Available until expended.

#### Pre-Appportionment Set-Asides

For fiscal year 2022 only, the IIJA set aside up to \$300 million for the Departments of Transportation and Energy to establish a Joint Office, which among other activities, is tasked with helping to formulate NEVI Formula guidance, best practices, and to provide technical and other assistance to States and localities in the planning and implementation of a national EV charging network, while also supporting additional transportation electrification efforts in the Federal government.

For each year of fiscal years 2022-2026, after the set-aside listed above, the IIJA sets aside 10 percent of EV Formula funding for grants to States and localities that require additional assistance to deploy EV charging infrastructure, as determined by the Secretary of Transportation.

The IIJA allows FHWA to use up to 1.5 percent of annual NEVI Program funds for FHWA's operations and administration.

#### Distribution of Funds

The FHWA distributes NEVI Program funding (net of pre-apportionment set-asides) among States, including the District of Columbia and Puerto Rico on a formula basis. Under the formula, each State receives a share of program funding equal to the State's share of the combined amount that FHWA distributes in Federal-aid highway apportionments and Puerto Rico Highway Program funding.

This funding is not subject to any limitation on obligation.

### **Federal Share, Match Requirements, and Contracting with Private Entities**

The Federal cost share for NEVI Program projects is 80 percent. Private and State funds can be used to provide the non-Federal cost share. NEVI Program funds can be combined with other eligible Federal-aid highway program funding for EV charging infrastructure projects, if the eligibility requirements are met for both programs and the total Federal cost-share does not exceed 80 percent. Generally, projects funded by the NEVI Program can use in-kind match in a similar manner as any project funded under title 23, United States Code.

NEVI Program funds may be used to contract with a private entity for acquisition, installation, operations, and maintenance of EV charging infrastructure. The private entity may pay the non-Federal cost share. Subject to contract terms, ownership of EV charging infrastructure does not need to revert to the State when a State contracts with a private entity.

### **Non-Transferability to Other Highway Formula Programs**

NEVI Program funds shall not be transferable under section 126 of title 23, United States Code.<sup>2</sup>

## **III. STATE EV INFRASTRUCTURE DEPLOYMENT PLAN**

Pursuant to the IIJA, “the Secretary shall establish a deadline by which a State shall provide a plan” describing how the State intends to use NEVI Program funds “for each fiscal year in which funds are made available.”<sup>3</sup>

### **Plan Content**

States shall submit a State EV Infrastructure Deployment Plan (Plan) that includes the following statutory and regulatory requirements:

- A description of how the State intends to use NEVI Program funds for each fiscal year. The Plan should cover all unobligated funding for fiscal years 2022-2026.
- A Community Engagement Outcomes Report, per [23 CFR 680.112\(d\)](#).
- A description of physical and cybersecurity strategies, per [23 CFR 680.106\(h\)](#).

States may utilize a streamlined format for their Plans, including the ability to utilize State planning documents, including their Statewide Transportation Improvement Program. Previously developed or submitted Plans for fiscal years 2022-2025 can be resubmitted, but will only be reviewed for the statutory and regulatory requirements noted above.

Any information included in the Plan beyond the legally required information is at the discretion of the State.

### **Plan Submission and Approval**

The Plan should be submitted to the FHWA Division Office. The Division should confirm that the content requirements noted above have been satisfied, and, if so, provide approval. FHWA will only review the three required items listed under Plan Content.

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<sup>2</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 25.

<sup>3</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 4.

## **Plan Deadline**

States should submit the Plan within 30 days of the date of this guidance.

## **IV. PROJECT ELIGIBILITY**

Pursuant to the IIJA, NEVI Program funds “shall be for projects directly related to the charging of a vehicle and only for EV charging infrastructure that is open to the general public or to authorized commercial motor vehicle operators from more than one company.”<sup>4</sup>

In general, NEVI Program funds may be used for:

### **Acquisition and Installation**

Pursuant to the IIJA, NEVI Program funds may be used for “the acquisition and installation of EV charging infrastructure.”<sup>5</sup> This includes:

- Installation of new chargers.
- Upgrade of existing chargers.
- EV charging infrastructure for light-duty, medium-duty, or heavy-duty vehicles.
- On-site distributed energy resource equipment (e.g., stationary batteries) that is directly related to the charging of a vehicle.
- On-site electric service equipment.

States should consider the “proximity of existing off highway travel centers, fuel retailers, and small businesses”<sup>6</sup> to proposed charging locations. FHWA encourages co-locating chargers at retail locations with onsite amenities that could provide safe locations and restrooms.

### **Operating Assistance**

Pursuant to the IIJA, NEVI Program funds may be used for “operating assistance for costs allocable to operating and maintaining EV charging infrastructure acquired or installed” under the NEVI Program “for a period not to exceed five years.”<sup>7</sup>

- Operating assistance under the NEVI Program is available only for those charging stations for which NEVI Program funds have first been used for acquisition or installation, including the installation of the necessary equipment or features to existing chargers to meet regulatory standards.
- Where NEVI Program funds are used for operating assistance, this operating assistance shall not exceed five years.

States should consider “long term operation and maintenance of publicly available EV charging infrastructure to avoid stranded assets and protect the investment of public funds in that infrastructure.”<sup>8</sup> FHWA encourages the selection of charging locations where the charging

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<sup>4</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 12. Publicly accessible means the equipment is available to the public without restriction. A station restricts access only to customers, tenants, employees, or other consumers is not publicly accessible. The term “commercial motor vehicle” has the meaning defined at [23 CFR 658.5](#).

<sup>5</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 17.

<sup>6</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 15.

<sup>7</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 17.

<sup>8</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 15.

station operator is also the site host (i.e., property owner). In the alternative, FHWA encourages the selection of locations where the charging station operator has a committed agreement with the site host to expedite project delivery.

### **Traffic Control Devices and On-Premises Signs**

Pursuant to the IIJA, NEVI Program funds may be used for “the acquisition or installation of traffic control devices located in the right-of-way to provide directional information to EV charging infrastructure acquired, installed, or operated” under the NEVI Program. Funds may also be used for “on-premises signs to provide information about EV charging infrastructure acquired, installed, or operated” under the NEVI Program.<sup>9</sup>

- Traffic control devices shall be in compliance with the Manual on Uniform Traffic Control Devices (MUTCD) under 23 CFR part 655 and on-site signage shall be in compliance with the Outdoor Advertising Control regulations under 23 CFR part 750.
- Eligible signage may direct drivers to an EV charging station location and provide information at the EV charging station location.

### **Development Phase Activities**

Pursuant to the IIJA, NEVI Program funds may be used for “development phase activities relating to the acquisition or installation of EV charging infrastructure.”<sup>10</sup>

- Development phase activities include planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.
- Development of the State EV Infrastructure Deployment Plan.
- Environmental documents and studies, preliminary engineering, and related work. NEVI funds cannot be used for final design and construction for site installations until the National Environmental Policy Act (NEPA) review is completed.
- Planning and permitting of on-site distributed energy resource equipment (e.g., stationary batteries) that is directly related to the charging of a vehicle.

### **Mapping and Analysis Activities**

Pursuant to the IIJA, NEVI Program funds may be used for “mapping and analysis activities” to:

- “evaluate the locations of current and future EV owners”;
- “forecast commuting and travel patterns of EVs and the quantity of electricity required to serve EV charging stations”;
- “estimate the concentrations of EV charging stations to meet the needs of current and future EV drivers”;
- “estimate future needs for EV charging stations to support the adoption and use of EVs in shared mobility solutions, such as micro-transit and transportation network companies”; and
- “develop an analytical model to allow a city, county, or other political subdivision of a State or a local agency to compare and evaluate different adoption and use scenarios for EVs and EV charging stations.”<sup>11</sup>

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<sup>9</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 17.

<sup>10</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 17.

<sup>11</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 17.

## V. MINIMUM STANDARDS AND REQUIREMENTS

IIJA requires that NEVI Program funds be administered as if apportioned under chapter 1 of title 23, United States Code. As such, all applicable requirements of title 23 apply.<sup>12</sup>

Pursuant to the IIJA, FHWA was directed to develop minimum standards and requirements for EV charging infrastructure.<sup>13</sup> This directive was met through the National Electric Vehicle Infrastructure Standards and Requirements at [23 CFR part 680](#), which applies to all NEVI projects.

### Data Reporting

To streamline and standardize the submission of data required under [23 CFR 680.112](#), the Joint Office of Energy and Transportation (Joint Office) has established the EV Charging Analytics and Reporting Tool (EV-ChART), a web-based data portal and analytics platform where the data should be submitted. For more information see the Joint Office's EV-ChART website at <https://driveelectric.gov/evchart>.

## VI. ALTERNATIVE FUEL CORRIDORS AND FULLY BUILT OUT CERTIFICATION

### Alternative Fuel Corridors

Pursuant to the IIJA, EV charging infrastructure funded through the NEVI Program “shall be located along a designated Alternative Fuel Corridor.”<sup>14</sup> Alternative Fuel Corridors are designated based on nominations submitted by State and local agencies. See [https://www.fhwa.dot.gov/environment/alternative\\_fuel\\_corridors/](https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/) for additional information, including interactive maps.

### Charging Station Distances along AFCs

The distance between publicly available EV charging infrastructure is one of the elements that the IIJA states shall be considered in developing this guidance.<sup>15</sup> States should consider the appropriate distance between stations to allow for reasonable travel and certainty that charging will be available to corridor travelers when needed. States may consider grid capacity, geography, cost, and other location- or context-specific constraints.

### Fully Built Out Certification

Pursuant to the IIJA, EV charging infrastructure funded through the NEVI Program shall be located along designated Alternative Fuel Corridors. If a State determines, and FHWA certifies, that the designated AFCs for EVs in the State are fully built out, then the State may use NEVI Program funds for EV charging infrastructure on any public road or in other publicly accessible locations.<sup>16</sup>

In order to have a determination certified by FHWA, States should submit a letter determining their status as fully built out, and provide a reasonable explanation of the State's determination. The State should include maps, tables, data, and other information and evidence, as appropriate.

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<sup>12</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 24.

<sup>13</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 18.

<sup>14</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 13.

<sup>15</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 15.

<sup>16</sup> IIJA, Paragraph (2) under the Highway Infrastructure Program heading in title VIII of division J, Proviso 16.

## **VII. ADDITIONAL INFORMATION**

Additional resources can be found at the following websites:

NEVI Program: <https://www.fhwa.dot.gov/environment/nevi/>

Alternative Fuel Corridors: [https://www.fhwa.dot.gov/environment/alternative\\_fuel\\_corridors/](https://www.fhwa.dot.gov/environment/alternative_fuel_corridors/)

Joint Office of Energy and Transportation: <https://driveelectric.gov>