POLITICOPRO

EV charging crackdown throws states into disarray

By James Bikales

02/11/2025 05:00 AM EST

The Trump administration's suspension of a national program to build electric vehicle charging stations last week has left states struggling to interpret the order, with some pulling projects while others move ahead.

State officials contacted by POLITICO had varying interpretations of a letter from the Transportation Department last Thursday: Some had halted all work on the National Electric Vehicle Infrastructure program, while others were pressing on with developing stations already underway.

"New guidance from the Federal Highway Administration would seem to stop work on many of the contracts that have already been signed, which would mean stopping companies from work they have already started to deliver the charging infrastructure that Coloradans want, in places people want to go," Shoshana Lew, executive director of the Colorado Department of Transportation, said in a statement.

Patrick Murphy, state policy director for the Vermont Agency of Transportation, said the state had fully suspended its NEVI program, except for ongoing maintenance and operating costs on the one station it had opened thus far.

"The Agency had already awarded 11 projects for an additional 62 charging ports, but all NEVI-funded work on those is paused until further notice from FHWA," Murphy said in an email.

Even prior to Thursday's order, at least six other states had suspended their NEVI programs amid the uncertainty around Trump's broader freeze on federal climate spending.

But after reviewing the new memo, Oregon Department of Transportation spokesperson Matt Noble said Friday the state will "continue work with funds that have previously been obligated," including for 13 stations for which contractors have been selected but work has not yet begun.

"We are in the process of signing grant agreements with each company and we expect they will start work later this year," Noble said in a statement. The state will not move forward on any additional projects until new NEVI guidance is issued, however.

Harrison Reilly, a spokesperson for the California Energy Commission, which is implementing the state's NEVI program with Caltrans, also said Friday its services "remain fully operational," noting that the courts have barred the Trump administration from freezing federal financial assistance.

"This is a fluid situation and we're working with our federal counterparts to get clarity," Reilly said.

California along with 21 other states on Friday filed for a preliminary injunction to enforce the court order, alleging the Trump administration is continuing to block access to federal funding for state climate programs.

While just 57 charging stations funded by the program are open across the country, states have announced $467 million in awards to build nearly 900 charging stations that are not yet open, according to the NEVI Awards Dashboard. Some of those projects have signed contracts while others do not.

Transportation Secretary Sean Duffy said in a Fox Business interview on Saturday that "any obligations that have been currently made, contracts that have been signed, those are still going to be funded, but there'll be no new funding priorities or projects as we go through a review process."

Duffy added that while he has the authority to pause and review the NEVI program, only Congress has the power to fully claw back the dollars, possibly through the reconciliation process.

"We're going to recalibrate what the program should look like, and if Congress takes action in the meantime, that's their prerogative," Duffy said.

Jobs at stake: While the action may draw legal challenges, Democrats in Congress and the states argue that in the meantime it could slow electric vehicle growth and threaten jobs that involve manufacturing and installing chargers.

"By banning the Department of Transportation from releasing National Electric Vehicle Infrastructure funds, Trump is threatening jobs, jeopardizing infrastructure safety, and turbocharging carbon pollution," Sen. Sheldon Whitehouse, the top Democrat on the Environment and Public Works Committee, said in a statement.

Rep. Mark DeSaulnier (D-Calif.), a member of the House Transportation and Infrastructure Committee who has led on EV charging infrastructure, said the move would give China another leg up on the American auto industry.

"Our kids and grandkids will be driving Chinese cars," DeSaulnier said. "Donald Trump is killing the American auto industry. Make America great again, drive a model T."

The future of formula: Particularly alarming to some Democrats and transportation experts was that the Trump administration hold involves formula funding, a type of budgetarily protected, statutory federal aid for primarily highway, bridge and transit projects that states have relied on for decades.

In its order, DOT cited a unique provision in the NEVI program that requires states to submit annual plans to unlock the formula funding each fiscal year. It essentially invalidated those already-approved state plans and instructed states to stop spending NEVI funds as it rewrote guidance upon which those state plans are based over the coming months.

"DOT's move to gut a highway formula program and threaten jobs is unprecedented," Rep. Rick Larsen, the top Democrat on the Transportation and Infrastructure Committee, said in a statement.

Jim Tymon, executive director of the American Association of State Highway and Transportation Officials, said formula funding has been the "bedrock" of the highway aid program for "over 100 years."

Tymon said new administrations often make changes to the discretionary grant programs at DOT, but formula programs are "seen as not an area where you had the flexibility to push the priorities of a new administration."

"This pause puts states in a bad spot, because they have anticipated that it would be operated like all the other formula programs," Tymon said. "In some instances, they may be left holding the bag where they've made a commitment, and now the feds aren't going to come through with those dollars."

Lynda Tran, a former senior DOT official in the Obama and Biden administrations, said "the whole point of formula funding is it just flows."

Tran said the move could leave state and congressional officials having to explain holes in their transportation budgets and job losses.

"They put out procurements, they decide which contractors they're going to hire, and then the downstream effect is those contractors hire up a workforce that is relying on these infrastructure jobs," Tran said.

In a statement Friday, a DOT spokesperson said it is "utilizing the unique authority afforded under the NEVI Formula Program to ensure the Program operates efficiently and effectively and aligns with current U.S. DOT policies and priorities."

On Friday, the Electric Drive Transportation Association — which counts among its members automakers General Motors, Stellantis, Ford and Toyota, along with utility trade group Edison Electric Institute and major charging operators like Walmart — urged Trump to "quickly resume the critical work of the program and minimize uncertainty for states and their businesses."

Still, some industry groups that have worked on the program cheered the move to pause and reevaluate it.

David Fialkov, executive vice president of government affairs for NATSO, representing truck stop and travel plaza owners, and SIGMA, representing fuel marketers, said in some states the program has been plagued by delays and poor placement of chargers.

“We are encouraged that the Trump Administration is reevaluating rather than abandoning the NEVI Program,” Fialkov said in a statement. “[We] intend to work closely with them to share our experience and keep what’s been working, while reconsidering clearly unproductive approaches.”

Chris Marquette and Kelsey Tamborrino contributed to this report.