



Charge Up New Jersey

Phase Two: The Point-of-Sale Incentive

Terms & Conditions

July 1, 2021

Program Overview

The intent of the Charge Up New Jersey program is to encourage the purchase or lease of new light-duty plug-in electric vehicles in the State, and assist New Jersey residents with making the switch to driving electric, consistent with N.J.S.A. 48:25-4(a). The Charge Up New Jersey Program addresses the key market barrier of vehicle cost by offering a financial incentive at the point-of-sale. Eligible Charge Up New Jersey Program applicants, who have purchased or leased an eligible vehicle on or after the launch of Phase Two can receive the incentive at the time of the transaction at participating New Jersey dealerships or showrooms. Incentives are processed on a first-come, first-served basis and issued to eligible applicants in a single payment as a line item on the purchase or lease contract.

Incentive availability for the Charge Up New Jersey Program is limited and based upon FY22 funding approval by the New Jersey Board of Public Utilities (“BPU”). The BPU may announce, at any time, that funding has been fully reserved and committed due to program participation for FY22 and close the program to new applicants. All notices and announcements for the program will be publicly available on the Charge Up New Jersey and BPU websites.

The Charge Up New Jersey Program Terms and Conditions (“Terms and Conditions”) are subject to change. It is the applicant’s responsibility to review and accept the Terms and Conditions at the time of application submittal. The Terms and Conditions in effect at that time will be applied to determine the applicant’s eligibility for Charge Up New Jersey.

Contacts

All Incentive questions should be directed to Center for Sustainable Energy (“CSE”), the incentive administrator:

Center for Sustainable Energy

3980 Sherman Street, Suite 170

San Diego, CA 92110

Phone: 1-877-426-2474 (877-426-CHRG)

Email: chargeupnj@energycenter.org

Part 1: Application Process

To receive the incentive, an applicant must meet the incentive requirements and eligibility criteria and sign the Charge Up New Jersey Terms and Conditions at the time of vehicle transaction in a New Jersey dealership or showroom. A salesperson or representative for the dealership or showroom will submit the incentive application and required documentation, outlined in the Required Documentation section of these Terms and Conditions, on behalf of the applicant, within fourteen (14) calendar days of the vehicle transaction date on the contract. Incentives will be processed by the Center for Sustainable Energy. The incentive must be shown as a line item deduction on the applicant's contract. The dealership or showroom will be directly reimbursed for the incentive once the application is approved.

- Applications started more than fourteen (14) calendar days after the vehicle transaction is completed will be blocked from submitting an application.
- Vehicles ordered, purchased, or leased prior to the incentive's effective date are not eligible for an incentive. For the purposes of the incentive, the vehicle transaction date is the date that the vehicle is delivered and the contract is fully executed.

The Vehicle Transaction Date must be on or after the incentive effective date (the date on which the Year Two program is opened). Dealers shall submit incentive applications through the Dealer Web Portal at <https://chargeup.njcleanenergy.com>. Dealers shall have fourteen (14) calendar days to submit the application, including the required documents outlined in the Terms and Conditions. The BPU will reserve the incentive funds once the application is submitted. Any applications not submitted within fourteen (14) calendar days will be cancelled and the reserved funds will be released. The Dealer will be notified of the cancellation via email.

Submitted applications that have no issues with regard to the accuracy or completeness of the application and/or required documents will be approved, and the dealer will receive notification of approval via email.

If an application or its required documents are determined to be incomplete, illegible, or missing required information, the Dealer will be notified of the error via email and shall have an additional fourteen (14) calendar days from the date of notification to correct any errors. If the errors are not corrected within fourteen (14) calendar days, the application will be cancelled and the reserved funds will be released. If an application is submitted, but determined to be ineligible, it will be cancelled, the reserved funds will be released and the Dealer will be notified via email. If an incentive application is cancelled, Dealers can reapply for an incentive for that vehicle within fourteen (14) calendar days of the vehicle transaction.

Charge Up New Jersey will follow the guidelines set by the EV Act (P.L.2019, c.362) and utilize best practices from similar incentives in other states that the Center for Sustainable Energy actively manages.

Required Documentation

Required documentation for each incentive application includes:

- A full and complete copy of Charge Up New Jersey Terms and Conditions signed by the applicant.*
- Proof of temporary or permanent New Jersey vehicle registration for the vehicle listed in the application. The registration must be active and valid at the time of application. Registrations that have expired before the application date will not be accepted. Either the applicant's name or the leasing agency's name must appear on the registration the same as it is listed on the vehicle purchase or lease agreement. A cosigner or joint owner on the contract may also be listed on the registration. The vehicle must be registered to a New Jersey address unless registered to a leasing agency. Applicants must maintain ownership or maintain a lease of the vehicle and an active New Jersey registration for the vehicle for at least 36 consecutive months following purchase or lease.
- A full and complete copy of the purchase or lease contract, with all pages included, from an eligible New Jersey dealership or showroom. A complete contract must be fully executed and, if applicable, must include the itemization of credits, discounts, and incentives received. The applicant's name must be listed on the contract and match the name on the incentive application.
- Proof of New Jersey residency via a legible copy of the applicant's current, unexpired New Jersey driver's license. For active duty military members stationed in New Jersey, but with permanent residency in another state, military orders may be used as proof of residency. Utility bills, tax documentation, and other items with the applicant's address will not be accepted.

*At the time a representative applies for an incentive through the Charge Up New Jersey Program portal, the most current version of the Implementation Manual and the Terms and Conditions will apply. In addition, an electronic signature will be accepted and considered valid for the acknowledgement and signing of the Program Terms and Conditions.

Appeal Process

To appeal the denial of an application for the point-of-sale incentive, an applicant must first contact the Center for Sustainable Energy at 1-(877)-426-2474 or chargeupnj@energycenter.org to attempt a resolution. If attempts to resolve the issue with the Center for Sustainable Energy are unsuccessful, the appeal may be presented to BPU Staff for further review. Appeals will be considered on a case-by-case basis.

The appeal to BPU Staff must be submitted by email to issues@njcleanenergy.com within 45 calendar days of the notification that an application has been denied and must include applicant contact information, a copy of the applicant's Charge Up New Jersey application submitted by the representative, a copy of the required documents submitted with the application, and a description of the basis for the appeal, including a detailed description of the issue and why the applicant believes that the appeal should be granted. BPU Staff will review the submitted documentation and respond as soon as possible. BPU Staff will acknowledge receipt of appeals within five (5) business days of submission. If, after five business days, an acknowledgment has not been received, applicants should contact the BPU Program Administrator at EV.Programs@bpu.nj.gov.

Note: Appeals based solely on an applicant disagreeing with the policies set forth in the Charge Up New Jersey Terms and Conditions will not be considered.

False Statements

An applicant, showroom, dealership or vehicle manufacturer providing a false statement in any of the information submitted to the Charge Up New Jersey program may be criminally liable in accordance with applicable state or federal statutes, and any such false statement could result in incentive denial and/or removal from the Charge Up New Jersey program.

Part Two: Applicant Eligibility

Applicants must meet the following requirements in order to be eligible to receive the vehicle incentive. The applicant must:

1. Be a resident of the State of New Jersey at the time of vehicle purchase or lease, which will be verified via a current New Jersey Driver's License. Only a New Jersey Driver's License is eligible for residency verification. Utility bills, tax documentation, and other items with the applicant's address will **not** be accepted.
 - a. Active duty military members stationed in New Jersey, with permanent residency in another state, **will** qualify. Current military orders will be accepted as proof of residency documentation.
 - b. The Charge Up New Jersey Program is limited to individuals only. Businesses and other commercial entities, governments, and public entities are **not** eligible for this incentive.
2. Remain a resident of the State of New Jersey for at least two (2) years after the purchase or lease of the eligible EV that receives an incentive under the Program.
3. Agree that the entirety of the purchase or lease for an eligible vehicle must occur on or after the official launch of Phase Two, the Point-of-Sale Program, and in the State of New Jersey at a participating dealership or showroom.
 - a. Vehicles ordered in advance of the Phase Two launch will not be eligible for an incentive.
 - b. A vehicle ordered, purchased, or leased, and/or delivered out-of-state, is not eligible for the incentive, including vehicles ordered online and delivered outside of the State.
4. Agree that a purchase or lease is deemed completed when the purchaser or lessee of the vehicle has executed and signed a purchase or lease contract or security agreement.
5. Commit to not modifying the vehicle's emissions control systems, hardware, software calibrations, or hybrid system.
6. Retain ownership, or an active lease agreement, and registration of the vehicle with the New Jersey Motor Vehicle Commission for a minimum of 36 consecutive months immediately after the vehicle purchase or lease date. Leased vehicles must reflect a minimum of 36 months on the original lease agreement.
7. Acknowledge that applicants may receive only up to three (3) vehicle incentives from the Program throughout the 10-year period that the Program is active.

Failure to Adhere to the Program Requirements

If a vehicle for which an incentive payment was issued is sold, returned, or traded in, or if a lease is transferred or assumed by another party prior to expiration of the minimum ownership period or lease agreement or the applicant moves out of state, the purchaser or lessee may be required to reimburse the Program. Exemption from the 36-month period set forth in Section IV above may be allowed if necessitated by unforeseen or unavoidable circumstances, such as military relocation outside the State of New Jersey, death of an applicant, or determination by the Program Administrator that the vehicle has been totaled.

To qualify for an exemption, applicants will be required to submit a written request to the CSE and include official documentation demonstrating proof of one of the above noted circumstances. The CSE will review all submitted exemption requests and respond back with either an approval, denial, or request for additional documentation within 14 days of submission. All exemption requests will be stored with the original application in the incentive processing platform. To request an exemption for a special circumstance other than those listed above, an applicant can submit a written request explaining the circumstances along with any official corresponding documentation. The CSE will review the exemption request with the BPU to determine if the requirements for an exemption have been met.

Part Three: Vehicle Eligibility

Pursuant to P.L.2019, c.362, an eligible vehicle for the Program is defined as:

- A new light-duty plug-in electric vehicle;
- With a Manufacturer Suggested Retail Price* (“MSRP”) below \$55,000;
- Purchased or leased in the State of New Jersey at a participating dealership or showroom; and
- Registered in New Jersey to a New Jersey resident.

* In order to maintain a consistent and standardized approach to the MSRP cap under the Program:

- The MSRP and its impact on incentive eligibility will be taken into account only up to the point-of-sale. Any additions made to the vehicle thereafter that would otherwise alter the value of the vehicle will not alter the vehicle's eligibility for an incentive under the Program.
- The MSRP cap **will include** all line items on the purchase or lease agreement which relate to the value of the vehicle itself (including but not limited to battery upgrades, autonomous upgrades, wheel and tire packages, audio and infotainment system). The MSRP cap **will not include** maintenance or vehicle care packages, additional vehicles accessories (ex: first aid kits, floor mats, cargo nets, etc.), destination and delivery charges, tax, registration fees, title fees, and documentation fees since these line items do not relate to the value of the vehicle itself, but rather to logistics, care, and maintenance of the vehicle.

Incentives for Eligible Vehicles

Eligible electric vehicles, up to an MSRP of \$45,000, will have an incentive calculation which equals \$25 per all-electric mile, up to a maximum of \$5,000. In order to keep funding available as long as possible and to prevent vehicles with a higher MSRP from garnering a larger than necessary incentive, a second incentive tier will be available for eligible electric vehicles with an MSRP between \$45,000 and \$55,000. These vehicles will have an incentive calculation which equals \$25 per all-electric mile, up to a maximum of \$2,000.

Incentive Calculation	Determining Factor
\$25 per all-electric mile, maximum of \$5,000	Eligible Electric Vehicle, MSRP up to \$45,000
\$25 per all-electric mile, maximum of \$2,000	Eligible Electric Vehicle, MSRP between \$45,000 and \$55,000

Incentive Calculation Example

The 2021 Toyota Prius Prime Plug-In has 25 EPA-rated all-electric miles of range.

$(\$25) \times (25 \text{ EPA-rated all-electric miles}) = \625 Incentive

The 2021 Hyundai Kona Electric is a BEV with 258 miles of EPA-rated all-electric range and an MSRP below \$45,000. This incentive tier has a maximum of \$5,000. Therefore, the 2021 Kona EV would be eligible for a \$5,000 incentive.

The 2021 BMW i3 is a BEV with 153 miles of EPA-rated all-electric range, but the MSRP is above \$45,000. This incentive tier has a maximum of \$2,000. Therefore, the 2021 BMW i3 would be eligible for a \$2,000 incentive.

EPA-rated all-electric range will be defined by using fuelconomy.gov for each vehicle.

Note: Incentive amounts and the criteria used to determine them are subject to change. Visit the Charge Up New Jersey website after the incentive effective date to see the current complete list of eligible vehicles.

Eligible Incentive applicants, who have purchased or leased an eligible vehicle can receive the incentive at the time of vehicle transaction (point-of-sale). Incentives are available on a first-come, first-served basis as long as sufficient funds remain (applicants can check the program website for updates on funding levels) and the incentive deduction will be shown as a line item on the applicant's contract. Incentives will be reimbursed to Dealers by electronic payment. Per the BPU's payment terms, payments to Dealers can be expected within one month of application approval. An incentive will not be issued if the buyer or lessee of any eligible vehicle returns the vehicle prior to the incentive being issued. Dealers must notify the incentive administrator if an eligible vehicle is returned and request that the incentive application be cancelled. Furthermore, the BPU reserves the right to seek reimbursement from the Dealer if the buyer or lessee of any eligible vehicle returns such vehicle to the Dealer within 30 calendar days.

Floor Model, Test Drive, and Rollback Vehicles

Vehicles used as dealership floor models and test-drive vehicles are eligible for the incentive if the vehicles have not been registered previously with the New Jersey MVC or in any other state. Incentive applications for floor model, test drive, unwind and rollback vehicles will be assessed on a case-by-case basis. A “rollback” occurs when a buyer purchases or leases a vehicle then returns it shortly after purchase, or when a buyer’s financing is disapproved. An “unwind” occurs when registration is completed, but the sale was not consummated and the buyer never took delivery. Vehicles determined by the Incentive Administrator to be rollback or unwind vehicles will be eligible to receive an incentive. Additional documentation from the dealership may be required.

In the event of an unwind, rollback, or return of an incentivized vehicle, the dealership must notify the Incentive Administrator by emailing chargeupnj@energycenter.org with details of the change in the status of the purchase or lease within three business days. If the incentive payment to the dealership has already been initiated, then the Administrator will provide instructions to repay the incentive funds. If the incentive payment has not yet been initiated, it will be cancelled since the purchase or lease agreement that the incentive was included in is no longer in effect.

Vehicle Ownership Provision

Vehicle purchasers and lessees participating in Charge Up New Jersey are required to keep the vehicle and meet all applicable project requirements for a minimum 36-month period after the vehicle purchase or lease date. If a manufacturer defect or other unforeseen circumstances require the replacement of an incentivized vehicle with another vehicle of the same EPA-rated all-electric range, or an upgrade (e.g., replace PHEV with BEV), the Administrator, in conjunction with the BPU, has discretion to allow the incentive funds received to be applied to the replacement vehicle. To be considered, the replacement vehicle must be on the current list of eligible vehicles at the time the replacement is made or be the exact same vehicle that was originally incentivized. Lease transfers or lease assumptions are not allowed. Resale of a vehicle or return of a leased vehicle to a dealer may be allowed within this 36-month period if necessitated by unforeseen or unavoidable circumstances. To employ this provision, contact the Administrator to initiate this process. If the vehicle is resold or returned, the vehicle purchaser or lessee must promptly notify the Administrator and may be required to return a prorated portion of their incentive funds.

Purchasers or lessees who must resell a vehicle or return a leased vehicle to a dealership due to unforeseen or unavoidable circumstances, such as military relocation outside of New Jersey, or a totaled vehicle, may be exempt from returning the prorated incentive amount. Exemptions may be approved by the BPU on a case-by-case basis. If a vehicle purchaser or lessee sells or returns the incentivized vehicle to the dealership and does not receive prior approval, the BPU or its designee reserves the right to recoup Charge Up New Jersey funds from the original vehicle purchaser identified on the application form. If the Terms and Conditions of a previous application are not fulfilled, any/all new applications under the applicant’s name are subject to a temporary hold. The hold will remain in effect until the previous application’s Terms and Conditions have been met and/or funds are returned to the Administrator.

Ineligible Vehicles

Ineligible vehicles under the Program include:

- Aftermarket plug-in hybrid EVs;
- EV conversions;
- Electric scooters;
- Electric all-terrain vehicles;
- Neighborhood or low speed EVs;
- Electric motorcycles, as well as other two or three wheeled EVs; and
- Pre-owned plug-in EVs.
- Any vehicles purchased or leased outside the State of New Jersey.
- Any vehicle purchased, ordered or leased prior to the launch of Year Two.
- Any vehicle purchased, ordered or leased after the FY22 funds have been exhausted.

I hereby acknowledge that I have read and agree to meet and follow the requirements and responsibilities for Vehicle Purchaser participation as set forth above.

Name of Vehicle Purchaser/Lessee: _____

Signature of Vehicle Purchaser/Lessee: _____

Email of Vehicle Purchaser/Lessee: _____

Date: _____