

# STATE OF NEW YORK

---

7406--B

Cal. No. 869

2021-2022 Regular Sessions

## IN SENATE

September 29, 2021

---

Introduced by Sens. KRUEGER, BIAGGI, GOUNARDES, JACKSON, KAPLAN, KENNEDY, MYRIE, RAMOS, RIVERA, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommended to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to requiring electric vehicle charging stations and electric vehicle capable parking spaces

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 378 of the executive law is amended by adding a new  
2 subdivision 17-a to read as follows:

3 17-a. a. Standards to require new construction that includes dedicated  
4 off-street parking involving a garage, driveway, parking lot or other  
5 off-street parking, to have:

6 (i) electric vehicle charging stations as defined in paragraph (b) of  
7 subdivision one of section three hundred thirty-nine-11 of the real  
8 property law; and

9 (ii) electric vehicle capable parking spaces, which have the appropri-  
10 ate wiring, electric panels, and the appropriate space to install appro-  
11 priate electric service for an electric vehicle charging station.

12 b. Such standards shall require that the number of electric vehicle  
13 capable parking spaces pursuant to subparagraph (ii) of paragraph a of  
14 this subdivision be as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD07051-09-2

1 (i) a one, two or three-family home equipped with a garage, driveway  
2 or parking lot, or other off-street parking, shall have at least one  
3 electric vehicle capable parking space;

4 (ii) a multi-unit residential building with between two and ten park-  
5 ing spaces shall have at least seventy-five percent of available parking  
6 spaces be electric vehicle capable parking spaces, which shall include  
7 at least twenty percent of available parking spaces as electric vehicle  
8 charging stations. If there is a decimal in the calculation of the  
9 percentage of parking spaces, such decimal shall be rounded to the next  
10 largest whole number;

11 (iii) a multi-unit residential building with at least eleven parking  
12 spaces shall have one hundred percent of available parking spaces be  
13 electric vehicle capable parking spaces, which shall include at least  
14 forty percent of available parking spaces as electric vehicle charging  
15 stations. If there is a decimal in the calculation of the percentage of  
16 parking spaces, such decimal shall be rounded to the next largest whole  
17 number;

18 (iv) a privately-owned commercial building with between two and ten  
19 parking spaces shall have one hundred percent of available parking spac-  
20 es be electric vehicle capable parking spaces, which shall include at  
21 least twenty percent of available parking spaces as electric vehicle  
22 charging stations with at least a 208-240 volt, 40 amp circuit;

23 (v) a privately-owned commercial building with at least eleven parking  
24 spaces shall have one hundred percent of available parking spaces be  
25 electric vehicle capable parking spaces, which shall include at least  
26 forty percent of available parking spaces as electric vehicle charging  
27 stations with at least a 208-240 volt, 40 amp circuit; and

28 (vi) a privately-owned commercial building subject to the requirements  
29 of subparagraph (iv) or (v) of this paragraph, the installation of one  
30 400-900 volt direct current fast charging station shall be considered  
31 equivalent to five required electric vehicle charging stations of lower  
32 voltage.

33 c. For the purposes of this subdivision, "privately-owned commercial  
34 building" shall mean any newly constructed commercial building under  
35 private contract which has not received state capital funding for such  
36 construction.

37 § 2. This act shall take effect April 1, 2023 and shall apply to  
38 contracts for new construction entered into on and after such date.