

# STATE OF NEW YORK

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3179--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 22, 2021

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Introduced by M. of A. FAHY, GOTTFRIED, JACKSON -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

17-a. a. For the purposes of this subdivision:

(i) "Substantial rehabilitation" means required repairs, replacements, and improvements involving the replacement of two or more major building components, or costing in excess of either fifteen percent (exclusive of any soft costs) of the property's fair market value after completion of rehabilitation or six thousand five hundred dollars per dwelling unit adjusted by the United States department of housing and urban development high cost percentage.

(ii) "Major building component" means roof structures, wall or floor structures, foundations, and plumbing, central heating and air conditioning, or electrical systems, that are significant to the building and its use, which are normally expected to last the useful life of the building and not minor or cosmetic.

b. Standards to require new construction and buildings undergoing substantial rehabilitation which include dedicated off-street parking areas to have:

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

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

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

4 c. The number of spaces required by paragraph b of this section shall  
5 be as follows:

6 (i) a one, two or three-family home equipped with a garage, driveway  
7 or parking lot shall have at least one electric vehicle capable parking  
8 space, except that one, two or three-family homes undergoing substantial  
9 rehabilitation that does not involve a garage, driveway, or parking lot  
10 shall be exempt from the requirements of this subdivision;

11 (ii) a home for more than three families with between two and ten  
12 parking spaces shall have at least seventy-five percent of available  
13 parking spaces be electric vehicle capable parking spaces, which shall  
14 include at least twenty percent of available parking spaces as electric  
15 vehicle charging stations. If there is a decimal in the calculation of  
16 the percentage of parking spaces, such decimal shall be rounded to the  
17 next largest whole number;

18 (iii) a multi-unit residential building with at least eleven parking  
19 spaces shall have one hundred percent of available parking spaces be  
20 electric vehicle capable parking spaces, which shall include at least  
21 forty percent of available parking spaces as electric vehicle charging  
22 stations. If there is a decimal in the calculation of the percentage of  
23 parking spaces, such decimal shall be rounded to the next largest whole  
24 number;

25 (iv) a commercial building with between two and ten parking spaces  
26 shall have one hundred percent of available parking spaces be electric  
27 vehicle capable parking spaces, which shall include at least twenty  
28 percent of available parking spaces as electric vehicle charging  
29 stations with at least a 208-240 volt, 40 amp circuit;

30 (v) a commercial building with at least eleven parking spaces shall  
31 have one hundred percent of available parking spaces be electric vehicle  
32 capable parking spaces, which shall include at least forty percent of  
33 available parking spaces as electric vehicle charging stations with at  
34 least a 208-240 volt, 40 amp circuit; and

35 (vi) a commercial building subject to the requirements of subparagraph  
36 (iv) or (v) of this paragraph, the installation of one 400-900 volt  
37 direct current fast charging station shall be considered equivalent to  
38 five required electric vehicle charging stations of lower voltage.

39 § 2. This act shall take effect on the sixtieth day after it shall  
40 have become a law.