

STATE OF NEW YORK

3179--B

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. FAHY, GOTTFRIED, JACKSON, McDONALD, DICKENS, THIELE, SEAWRIGHT, BURDICK, SIMON, STECK, WOERNER, BROWN, CLARK -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- 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, for a multi-unit residential building, 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 that includes dedicated off-street parking and buildings undergoing substantial rehabilitation involving a garage, driveway, parking lot or other off-street parking, to have:

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

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

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

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

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

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

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

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

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

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

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