STATE OF NEW YORK

7406--A

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 -- recommitted 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

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.

LBD07051-04-1

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

(ii) electric vehicle capable parking spaces, which have the appropriate wiring, electric panels, and the appropriate space to install appropriate electric service for an electric vehicle charging station.

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

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

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

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

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

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

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

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