

# STATE OF NEW YORK

3179--C

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, K. BROWN, CLARK, L. ROSENTHAL -- 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 -- again reported from said committee with amendments, 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. Standards to require new construction that includes dedicated off-street parking involving a garage, driveway, parking lot or other off-street parking, 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

(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.

b. Such standards shall require that the number of electric vehicle capable parking spaces pursuant to subparagraph (ii) of paragraph a of this subdivision 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;

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

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

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

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

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

25 (vi) a privately-owned commercial building subject to the requirements  
26 of subparagraph (iv) or (v) of this paragraph, the installation of one  
27 400-900 volt direct current fast charging station shall be considered  
28 equivalent to five required electric vehicle charging stations of lower  
29 voltage.

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

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