

# STATE OF NEW YORK

7406

2021-2022 Regular Sessions

## IN SENATE

September 29, 2021

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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. For the purposes of this subdivision:

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

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

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

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

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

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

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

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

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

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

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

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

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

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