

# 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:

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, for a multi-unit residential building, six thousand  
9 five hundred dollars per dwelling unit adjusted by the United States  
10 department of housing and urban development 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 that includes dedicated off-  
17 street parking and buildings undergoing substantial rehabilitation  
18 involving a garage, driveway, parking lot or other off-street parking,  
19 to have:

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

LBD07051-04-1

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.