STATE OF NEW YORK

4871

2023-2024 Regular Sessions

IN ASSEMBLY

February 24, 2023

Introduced by M. of A. KELLES, SIMON, K. BROWN, JACOBSON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring certain state owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The executive law is amended by adding a new section 201-b to read as follows:

§ 201-b. Electric vehicle charging stations. 1. Any parking garage, open parking lot and other parking facility owned and/or operated by the state of New York, that offers between fifty and two hundred parking spaces for the purposes of public use, state employee use and pay-per-usage, is hereby required to install electric charging stations in at least ten percent of the total number of parking spaces offered by such facility.

2. Any parking garage, open parking lot and other parking facility owned and/or operated by the state of New York, that offers more than two hundred parking spaces for the purposes of public use, state employee use and pay-per-usage, is hereby required to install electric charging stations in at least twenty percent of the total number of parking spaces offered by such facility.

3. Pursuant to subdivisions one and two of this section, open parking lots and other open parking facilities shall be capable of supporting electric vehicle charging stations through an electrical raceway, no smaller than one inch, capable of providing a minimum supply of 11.5 kVA to an electric vehicle supply equipment (EVSE) from an electric supply panel. The electric supply panel serving such parking spaces must have at least 3.1 kW of available capacity for each charging stall connected to it with the raceway. Such raceway and all components and work appur-

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

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tenant thereto shall be in accordance with state, city and municipal electrical code.

4. Pursuant to subdivisions one and two of this section, parking garages shall be capable of supporting electric vehicle charging stations through an electrical raceway to the electric supply panel serving the garage that shall be capable of providing a minimum of 3.1 kW of electrical capacity to each charging stall connected to it with the raceway. Such raceway and all components and work appurtenant thereto shall be in accordance with state, city and municipal electrical codes.

5. The office of general services shall be responsible for the installation of any electric vehicle supply equipment. If such installation shall require the state to make upgrades to a facility's electrical supply equipment to safely and sufficiently power and operate the charging stations, the office of general services, if able, shall increase the electrical capacity of the existing system by installing new components as necessary. If the office of general services is unable to make such technical upgrades to a facility, the state may contract with a licensed electrician or similar service provider to upgrade the electrical capacity of said facility. Such contracted work shall comply with the provisions of article eight of the labor law, including the payment of a wage of not less than the prevailing wage in the locality where such electric vehicle charging station is located.

6. The office of general services shall be responsible for the maintenance, general upkeep and repair of any electric vehicle supply equipment. If the office of general services is unable to complete such maintenance or repairs, the state may contract with a licensed electrician or similar repair service to complete the necessary work on said equipment.

7. To ensure that electric vehicles that require the use of charging stations are the only vehicles allowed to utilize parking spaces equipped with electric vehicle supply equipment, the office of general services, or other appropriate agency, is required to install signage to advise drivers of such parking restrictions.

8. State, city and/or municipal policing authorities and/or parking enforcement are hereby authorized to issue citations or take any other appropriate action in the event of a violation of subdivision seven of this section in accordance with existing vehicle and traffic law and parking restrictions imposed by any parking facility in which the electric vehicle supply equipment is located.

9. The state of New York shall assume all costs of installing, operating and maintaining any electric vehicle supply equipment, including the cost of utilities associated with the charging of vehicles. The state of New York is also prohibited from charging an individual, who is authorized by this section, in any way, for the use of such electric vehicle supply equipment offered by a state owned and/or operated parking facility.

§ 2. This act shall take effect immediately.