STATE OF NEW YORK

9252

IN SENATE

May 7, 2024

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public authorities law and the administrative code of the city of New York, in relation to the fifth generation (5G) telecommunications towers in cities with a population of one million or more and electric vehicle charging stations

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

Section 1. The public authorities law is amended by adding a new section 1885 to read as follows:

§ 1885. Fifth generation (5G) telecommunications towers in cities with a population of one million or more and electric vehicle charging stations. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "Fifth generation (5G) telecommunications tower" shall mean any freestanding tower, monopole or similar structure used for the provision of fifth generation (5G) wireless services including ancillary telecommunications equipment required to integrate such tower, monopole or similar structure into an existing or proposed wireless network.

(b) "Electric vehicle" shall mean a motor vehicle that is propelled at least in part by an electric motor and associated power electronics which provide acceleration torque to the drive wheels sometime during normal vehicle operation, and that draws electricity from a battery or hydrogen fuel cell that is capable of being recharged from an external source of electricity, such that the external source of electricity cannot be connected to the vehicle while the vehicle is in motion.

(c) "Electric vehicle charging station" shall mean the equipment needed to convey electric power from the electric grid or another power source to an onboard motor vehicle energy storage system.

2. In cities with a population of one million or more, where fifth generation (5G) telecommunications towers are installed and there is street parking available, electric vehicle charging stations shall be provided for public use. Parking spaces designated for the exclusive

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

LBD15489-01-4

purpose of charging an electric vehicle at an electric vehicle charging station shall be clearly identified, and such designation shall include conspicuous and permanently installed above grade signs which shall be positioned from the parking space surface at a height of not less than five feet nor more than seven feet and which identify such space as an electric vehicle charging station, indicate that such space is only for electric vehicle charging and include any day or time restrictions.

§ 2. The administrative code of the city of New York is amended by adding a new section 10-124 to read as follows:

§ 10-124 Fifth generation (5G) telecommunications towers and electric vehicle charging stations. a. For purposes of this section, the following terms shall have the following meanings:

1. "Fifth generation (5G) telecommunications tower" means any free-standing tower, monopole or similar structure used for the provision of fifth generation (5G) wireless services including ancillary telecommunications equipment required to integrate such tower, monopole or similar structure into an existing or proposed wireless network.

2. "Electric vehicle" shall mean a motor vehicle that is propelled at least in part by an electric motor and associated power electronics which provide acceleration torque to the drive wheels sometime during normal vehicle operation, and that draws electricity from a battery or hydrogen fuel cell that is capable of being recharged from an external source of electricity, such that the external source of electricity cannot be connected to the vehicle while the vehicle is in motion.

3. "Electric vehicle charging station" shall mean the equipment needed to convey electric power from the electric grid or another power source to an onboard motor vehicle energy storage system.

b. Where fifth generation (5G) telecommunications towers are installed and there is street parking available, spaces for electric vehicle charging stations shall be provided for public use. Parking spaces designated for the exclusive purpose of charging an electric vehicle at an electric vehicle charging station shall be clearly identified, and such designation shall include conspicuous and permanently installed above grade signs which shall be positioned from the parking space surface at a height of not less than five feet nor more than seven feet and which identify such space as an electric vehicle charging station, indicate that such space is only for electric vehicle charging and include any day or time restrictions.

§ 3. This act shall take effect immediately.