

# 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 Assem-  
bly, do enact as follows:

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

3 § 201-b. Electric vehicle charging stations. 1. Any parking garage,  
4 open parking lot and other parking facility owned and/or operated by the  
5 state of New York, that offers between fifty and two hundred parking  
6 spaces for the purposes of public use, state employee use and pay-per-  
7 usage, is hereby required to install electric charging stations in at  
8 least ten percent of the total number of parking spaces offered by such  
9 facility.

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

16 3. Pursuant to subdivisions one and two of this section, open parking  
17 lots and other open parking facilities shall be capable of supporting  
18 electric vehicle charging stations through an electrical raceway, no  
19 smaller than one inch, capable of providing a minimum supply of 11.5 kVA  
20 to an electric vehicle supply equipment (EVSE) from an electric supply  
21 panel. The electric supply panel serving such parking spaces must have  
22 at least 3.1 kW of available capacity for each charging stall connected  
23 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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1 tenant thereto shall be in accordance with state, city and municipal  
2 electrical code.

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

11 5. The office of general services shall be responsible for the instal-  
12 lation of any electric vehicle supply equipment. If such installation  
13 shall require the state to make upgrades to a facility's electrical  
14 supply equipment to safely and sufficiently power and operate the charg-  
15 ing stations, the office of general services, if able, shall increase  
16 the electrical capacity of the existing system by installing new compo-  
17 nents as necessary. If the office of general services is unable to make  
18 such technical upgrades to a facility, the state may contract with a  
19 licensed electrician or similar service provider to upgrade the elec-  
20 trical capacity of said facility. Such contracted work shall comply with  
21 the provisions of article eight of the labor law, including the payment  
22 of a wage of not less than the prevailing wage in the locality where  
23 such electric vehicle charging station is located.

24 6. The office of general services shall be responsible for the mainte-  
25 nance, general upkeep and repair of any electric vehicle supply equip-  
26 ment. If the office of general services is unable to complete such main-  
27 tenance or repairs, the state may contract with a licensed electrician  
28 or similar repair service to complete the necessary work on said equip-  
29 ment.

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

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

41 9. The state of New York shall assume all costs of installing, operat-  
42 ing and maintaining any electric vehicle supply equipment, including the  
43 cost of utilities associated with the charging of vehicles. The state of  
44 New York is also prohibited from charging an individual, who is author-  
45 ized by this section, in any way, for the use of such electric vehicle  
46 supply equipment offered by a state owned and/or operated parking facil-  
47 ity.

48 § 2. This act shall take effect immediately.