STATE OF NEW YORK

4200

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

Introduced by M. of A. BURROUGHS -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the energy law, in relation to requiring new buildings where new parking is provided to have electric vehicle charging infrastructure; and to repeal certain provisions of the executive law relating to certain standards in the New York state uniform fire prevention and building code

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

Section 1. Subdivision 17-a of the executive law, as added by a chapter of the laws of 2024 amending the executive law relating to requiring new construction that includes dedicated off-street parking to provide electric vehicle charging stations and electric vehicle ready parking spaces, as proposed in legislative bills numbers S. 1736-E and A. 3780-E, is REPEALED.

§ 2. Section 11-104 of the energy law is amended by adding a new subdivision 9 to read as follows:

9. Standards to require new buildings that include new dedicated off-street parking involving a garage, driveway, parking lot or other off-street parking to have electric vehicle ready infrastructure and electric vehicle charging stations that comply with the requirements set forth in this subdivision. Such standards shall not be included in the life cycle analysis performed pursuant to subdivision two of section 11-103 of this article.

(a) For the purposes of this subdivision:

(i) "electric vehicle ready infrastructure" shall mean all electrical components, terminating in a receptacle or outlet, as necessary to enable electric vehicle charging and support electric vehicle charging stations; and

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

LBD02803-01-5

(ii) "electric vehicle charging station" shall mean all the equipment necessary to deliver electricity from a source outside an electric vehicle into one or more electric vehicles, as defined by the code council.

(b) When adopting a new code after December thirty-first, two thousand twenty-six, such code shall include provisions that require any new building where new off-street parking is associated with such new building to have electric vehicle ready infrastructure and electric vehicle charging stations in accordance with paragraph (d) of this subdivision.

(c) The provisions set forth in paragraph (b) of this subdivision shall not be construed as applying to buildings existing prior to the adoption of a new code after December thirty-first, two thousand twenty-six, including to the repair, alteration, addition, relocation, or change of occupancy or use of such buildings.

(d) Code provisions promulgated by the state fire prevention and building code council pursuant to this subdivision:

(i) may, for detached one- and two-family dwellings, provide for electric vehicle ready infrastructure;

(ii) shall, for occupancies other than detached one- and two-family dwellings, require a minimum number of parking spaces with electric vehicle ready infrastructure and a minimum number of parking spaces with electric vehicle charging stations, with minimum charging capacity standards established by the council. When establishing minimum standards, the council shall consider:

A. the goals of section 19-0306-b of the environmental conservation law;

B. the differing needs of various building types;

C. maximizing equity of access to electric vehicle charging across income levels, housing types, geographic locations, and employment types;

D. for commercial buildings, the electric vehicle charging access needs of both employees and customers; and

E. for multi-family residential buildings, standards that allow electric vehicle charging stations be wired directly to a meter or electric vehicle submeter serving a residential unit;

(iii) include requirements for clear and prominent signage denoting the availability and location of electric vehicle ready infrastructure and electric vehicle charging stations; and

(iv) provide exemptions to such code provisions for:

A. projects with local, state, or federal approval subject to an actual or anticipated agreement with a local, state, or federal governmental entity for the purposes of providing affordable housing in a given locality or region; and

B. additional exemptions due to technical infeasibility, geographic location, or building type, as the code council deems appropriate.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the executive law relating to requiring new construction that includes dedicated off-street parking to provide electric vehicle charging stations and electric vehicle ready parking spaces, as proposed in legislative bills numbers S. 1736-E and A. 3780-E, take effect.