STATE OF NEW YORK

8543--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. STIRPE, KELLES -- read once and referred to the Committee on Energy -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the energy law, in relation to allowing new buildings where new parking is provided to have an optional, charger-agnostic, power-based allocation method alternative to certain electric vehicle charging infrastructure requirements

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

Section 1. Subparagraphs (i) and (ii) of paragraph (a) of subdivision 9 of section 11-104 of the energy law, as added by chapter 111 of the laws of 2025, are amended and two new subparagraphs (iii) and (iv) are added to read as follows:

(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~~]

(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[~~.~~]**;**

(iii) "power-based allocation method" shall mean a compliance approach that allows electric vehicle charging infrastructure requirements to be met based on the total kilowatt power capacity available for charging electric vehicles, without mandating a specific number or type of charging stations; and

(iv) "charger-agnostic" shall mean a standard or method that does not require the use of a specific type or brand of electric vehicle charger

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

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and allows for the use of Level 1, Level 2, or DC fast chargers, depending on power availability and site conditions.

§ 2. Subdivision 9 of section 11-104 of the energy law is amended by adding a new paragraph (e) to read as follows:

(e) When adopting a new code after December thirty-first, two thousand twenty-six, the department of state division of building standards and codes shall promulgate rules and regulations establishing an optional, charger-agnostic, power-based allocation method alternative to meet the requirements of this subdivision. Such rules shall include, but not be limited to:

(i) guidelines for calculating aggregate power capacity for electric vehicle charging stations in parking lots;

(ii) standards ensuring equitable access to charging options for various types of electric vehicles;

(iii) flexibility for property owners to select appropriate charging types based on power levels; and

(iv) provisions to ensure compliance with all applicable safety and accessibility requirements.

§ 3. This act shall take effect immediately.