

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2013**

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**No. 130**

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Introduced by Council Members Dilan, Koo, Koppell, Vann, Rodriguez, Vacca, Van Bramer, Mark-Viverito, Chin, Gentile, Gennaro, Greenfield, Jackson, Halloran and Ulrich (by request of the Mayor).

**A LOCAL LAW**

**To amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle charging stations in open parking lots and parking garages.**

*Be it enacted by the Council as follows:*

Section 1. Legislative findings and intent. The Council finds that electric vehicles emit approximately 75% less carbon dioxide (CO<sub>2</sub>) than average vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and nitrogen oxide, which negatively impact city air quality and resident health. Providing for infrastructure to promote and support electric vehicle use will lead to improvement of the city's air quality and reduce the city's production of greenhouse gases.

Electric vehicles require chargers, or Electric Vehicle Supply Equipment (EVSEs). The vast majority of parking facilities are not currently being built to accommodate electric chargers. Building parking facilities that have the capacity to add EVSEs incurs minimal additional costs, while helping to avoid retrofits in the future.

§2. Section 28-101.4.3 of the administrative code of the city of New York, as amended by a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York

city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056-A, is amended to add a new exception 18, to read as follows:

*18. **Parking garages and open parking lots.** Where an alteration of a parking garage or an open parking lot includes an increase in the size of the electric service, such alteration shall include provisions for the installation of electric vehicle charging stations in accordance with section 406.2.11 or 406.7.11 of the New York city building code, as applicable.*

§3. Chapter 4 of the New York city building code is amended by adding new sections 406.2.11 and 406.7.11 to read as follows:

***406.2.11 Electric vehicle charging stations.** Parking garages shall be capable of supporting electrical vehicle charging stations in accordance with this section. Electrical raceway to the electrical supply panel serving the garage shall be capable of providing a minimum of 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. The electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. Such raceway and all components and work appurtenant thereto shall be in accordance with the New York City Electrical Code.*

***Exceptions:***

- 1. The provisions of this section shall not apply to parking garages for buildings of occupancy group M (Mercantile).*
- 2. The commissioner may waive compliance with this section if the commissioner determines that the parking garage is a temporary facility that will be in service no*

*longer than 3 years.*

*3. The provisions of this section shall not apply to parking garages for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development.*

**406.7.11 Electric vehicle charging stations.** *Open parking lots shall be capable of supporting electric vehicle charging stations in accordance with this section. A minimum of 20 percent of the parking spaces in an open parking lot shall be equipped with electrical raceway capable of providing a minimum supply of 11.5kVA to an EVSE from an electrical supply panel. The raceway shall be no smaller than 1 inch. The electrical supply panel serving such parking spaces must have at least 3.1 kW of available capacity for each stall connected to it with raceway. Such raceway and all components and work appurtenant thereto shall be in accordance with the New York City Electrical Code.*

***Exceptions:***

- 1. The provisions of this section shall not apply to open parking lots for buildings of occupancy group M (Mercantile).*
- 2. The commissioner may waive compliance with this section if the commissioner determines that the open parking lot is a temporary facility that will be in service no longer than 3 years.*
- 3. The provisions of this section shall not apply to open parking lots for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development.*

§4. This local law shall take effect on the same date that a local law of the city of New York for the year 2013, amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056-A takes effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 10, 2013 and approved by the Mayor on December 17, 2013.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 130 of 2013, Council Int. No. 1176-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.