



MEMORANDUM IN OPPOSITION

S.1736-C (Krueger) /A.3780-C (Fahy)

AN ACT to amend the executive law, in relation to requiring new construction that includes dedicated off-street parking to provide electric vehicle charging stations and electric vehicle ready parking spaces

The Capital Region Chamber, representing 2,600 businesses and organizations from throughout the Capital Region that employ more than 150,000 area residents, opposes S.1736-C/A3780-C, which would require that new construction with dedicated off-street parking involving a garage, driveway, parking lot or other off-street parking have electric vehicle charging stations or electric vehicle ready parking spaces.

As New York State considers its long-term energy policies, it is critical that any such policies include a focus on maintaining a secure, reliable, accessible, and affordable energy supply for business and residential consumers. While the Chamber appreciates the sponsors' intent behind this legislation, we believe that it would be imprudent to enact this bill.

The Chamber has concerns regarding several of the bill's provisions. The bill includes the following requirements: one-to three-family homes with off-street parking must have at least one electric vehicle ready parking space for each dwelling unit, up to the total number of spaces; multi-family homes with off-street parking must have 100% of spaces be at least EV ready, with at least 20% of spaces equipped with a level 2 charging station; commercial buildings with between one and ten parking spaces must have at least one space that is EV ready or equipped with a level 2 charging station or a direct current fast charger; commercial buildings with more than ten parking spaces must have at least 20% of spaces be EV ready, which shall include at least 10% of spaces equipped with a Level 2 charging station or a direct current fast charging station; commercial buildings may opt to substitute one direct current fast charging station for 10 required Level 2 charging stations or EV ready spaces; requirements for installation of EV ready spaces or charging stations may be met by installing multiple EV ready spaces or charging stations on a single branch circuit when used in conjunction with an electric vehicle energy management system; building owners may apply for a waiver if they can demonstrate that the provisions present an undue hardship due to limitations of the local utility provider, or that the geographic location of the site is such that compliance would result in a significant burden on the owner; clear and prominent signage denoting availability and location of charging stations or EV ready spaces is required; municipalities are not preempted from enacting stricter requirements.

Consumers and businesses are already facing ever increasing prices due to inflation, a tight labor market and supply chain constraints. These price increases have impacted residential and commercial real estate development. The mandates included in this legislation would only exacerbate this situation. The state's economy is volatile, and the legislature should not consider policies that will reduce consumer choice, increase construction costs of residential and commercial properties, and ultimately harm our economy.

It is important to note that under the Climate Leadership and Community Protection Act, the Climate Action Council was tasked with developing a draft scoping plan that serves as an initial framework for

how the state will reduce greenhouse gas emissions, achieve net-zero emissions, and increase renewable energy usage. The CAC's Final Scoping Plan was adopted on December 19, 2022. One of the CAC's recommendations is related to the pending legislation. Unfortunately, as with the scoping plan, the sponsors of this bill fail to provide a cost estimate for this proposal. The Legislature should avoid acting on any energy policy related legislation until they provide the public with a full fiscal analysis of each proposal. It would be imprudent to do otherwise and clearly goes against public transparency.

While our Chamber supports efforts to reduce the carbon intensity of our economy, we believe that the state's energy policies must ensure each of these goals: access to secure, affordable, and reliable energy, protect energy consumers and their choices, and provide meaningful environmental progress. Unfortunately, this bill, as with the energy policies included in the Climate Action Council's Scoping Plan, do not meet each of the above-mentioned goals.

For these stated reasons, the Capital Region Chamber opposes this legislation.

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