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AB-1738 Building standards: installation of electric vehicle charging stations: existing buildings. (2021-2022)

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Assembly Bill No. 1738

CHAPTER 687

An act to add and repeal Section 18941.11 of the Health and Safety Code, relating to building standards.

[Approved by Governor September 28, 2022. Filed with Secretary of State September 28, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, Boerner Horvath. Building standards: installation of electric vehicle charging stations: existing buildings.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services. Existing law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code.

Existing law requires the Department of Housing and Community Development to propose to the commission for consideration mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings, as specified. Existing law requires the commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development.

This bill would, commencing with the next triennial edition of the California Building Standards Code, require the commission and the Department of Housing and Community Development to research and develop, and authorize the commission and department to propose for adoption, mandatory building standards for the installation of electric vehicle charging stations with low power level 2 or higher electric vehicle chargers in existing multifamily dwellings, hotels, motels, and nonresidential development during certain retrofits, additions, and alterations to existing parking facilities, as specified.

This bill would require the Department of Housing and Community Development and the commission to review those building standards every triennial code cycle and update those building standards until specified goals are met, as specified. The bill would make related findings and declarations. The bill would repeal these provisions on January 1, 2033.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California's greenhouse gas (GHG) emissions must be reduced to at least 40 percent below the statewide GHG emissions limit no later than December 31, 2030, pursuant to Section 38566 of the Health and Safety Code.

(b) Transportation emissions are the largest source of GHG emissions in California. Electrification of the transportation system is a key strategy in reducing transportation emissions. In order to support 1,500,000 zero-emission vehicles (ZEVs) by the year 2025, and 5,000,000 ZEVs by 2030, California has set a target to provide 250,000 electric vehicle charging stations, including 10,000 direct current fast chargers.

(c) California's Green Building Standards (CALGreen) Code (Part 11 of Title 24 of the California Code of Regulations) requires installation of Level 2 electric vehicle charging stations in new construction to support Executive Order N-79-20, which requires all new passenger vehicles sold in California to be zero-emission by 2035.

(d) Because new buildings represent a very small percent of total buildings statewide, it is essential that the CALGreen Code requirements for the installation of electric vehicle charging stations be expanded to require the cost-effective installation of Level 2 or direct current fast charger electric vehicle charging stations in existing parking facilities serving multifamily dwellings, hotels, motels, and nonresidential buildings. Installation of electric vehicle charging stations is most cost effective when it is concurrent with other construction on the parking spaces or the electric supply of existing buildings.

SEC. 2. Section 18941.11 is added to the Health and Safety Code, to read:

18941.11. (a) (1) Commencing with the next triennial edition of the California Building Standards Code (Title 24 of the California Code of Regulations), the commission and the Department of Housing and Community Development shall research and develop, and may propose for adoption by the commission, mandatory building standards for the installation of electric vehicle charging stations in existing multifamily dwellings, hotels, motels, and nonresidential developments during specified retrofits, additions, and alterations to existing parking facilities for which a permit application is submitted on and after the effective date of those building standards.

(2) For purposes of paragraph (1), notwithstanding subdivision (d) of Section 17922, Section 17912, or 17958.8, the Department of Housing and Development shall research, develop, and propose for adoption mandatory building standards for the installation of electric vehicle charging stations with low power level 2 or higher electric vehicle chargers in existing parking facilities serving multifamily dwellings, hotels, and motels. The department shall submit the proposed mandatory building standards to the commission for consideration.

(3) For purposes of paragraph (1), the commission shall research, develop, and propose for adoption mandatory building standards for the installation of electric vehicle charging stations with low power level 2 or higher electrical vehicle chargers, including direct current fast chargers, in parking facilities serving existing nonresidential buildings.

(b) In researching, developing, and proposing for adoption mandatory building standards under this section, the commission and the Department of Housing and Community Development shall do all the following:

(1) Consult with interested parties, including, but not limited to, the State Air Resources Board, the State Energy Resources Conservation and Development Commission, investor-owned utilities, municipal utilities, vehicle and electric vehicle supply equipment manufacturers, local building officials, commercial building and apartment owners, and the building industry.

(2) Invite the participation of the public at large in the development of those building standards.

(3) Propose standards that only apply to certain additions and alterations of existing parking facilities when a building permit is required and other significant construction or repair, as determined by the agencies, is taking place.

(c) The commission and the Department of Housing and Community Development shall review the building standards proposed and adopted pursuant to this section every triennial code cycle pursuant to Section 18942, and, if needed, update those building standards to ensure that the building standards support statewide needs for electric vehicle charging stations that align with the state's zero-emission vehicle targets until both of the following goals are met:

(1) There is adequate availability of charging given near-term electric vehicle charging needs.

(2) There is sufficient charging capacity to support the long-term goal of achieving 100 percent electric vehicles statewide.

(d) This section shall remain in effect only until January 1, 2033, and as of that date is repealed.