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Illinois Right to Charge Law Requires New Homes and Apartments to Support EV Charging

Tech

Under Illinois' Electric Vehicle Charging Act, new properties must be EV-capable starting in 2024. In addition, landlords and HOAs can't unduly restrict residents from installing EV chargers.



Corinne Reichert

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2 min read



Illinois' new right-to-charge law allows residents to install an EV charger without unreasonable restrictions from landlords and HOAs.

Getty Images

Starting next year, new homes in Illinois will be required to support electric vehicle charging stations under a new state law signed by Gov. J.B. Pritzker on June 9.

Passed by the legislature in May, the Electric Vehicle Charging Act requires any house or multiunit building completed after Jan. 1, 2024, to have "at least one EV-capable parking space for each residential unit that has dedicated parking." (The law also applies to existing multifamily residential buildings that are being renovated.)

Originally, the measure required every spot to be fully EV-ready with a charger in place. That was eventually walked back to require them only to be EV-capable, with conduits that would allow a charger to be installed at a future date.

Read more: [How to Maximize Your EV's Range and Efficiency](#)

"If you had to retrench into a building after it was built, you're putting about a 75% additional cost on that," the bill's sponsor, Sen. Sara Feigenholtz, told WAND-TV. "It is incumbent upon us to have these conduits in."

Other states have also passed so-called "right to charge" laws, which prevent property owners, landlords and homeowner associations from unreasonably limiting residents' ability to install EV chargers. But Illinois is the first to mandate that new construction be EV-capable.

It's also the first that extends protections to renters.

Just days before the law was signed, the Illinois Environmental Protection Agency announced \$12.6 million in grants for public EV chargers, part of Pritzker's goal of having Illinois use 100% clean energy by 2050 .

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7,500 Electric Vehicle Tax Credit?

... in Illinois," Pritzker tweeted. "Our state is putting a million electric vehicles producing the infrastructure needed to support them. Now, let's keep our foot

...nfrastructure bill passed in 2021 set aside \$7.5 billion for a national network of


NET's picks for the best EVs for 2023, as well as every EV ranked by range , shopping .

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Cars

America's EV Charging Infrastructure Can't Leave Cities Behind

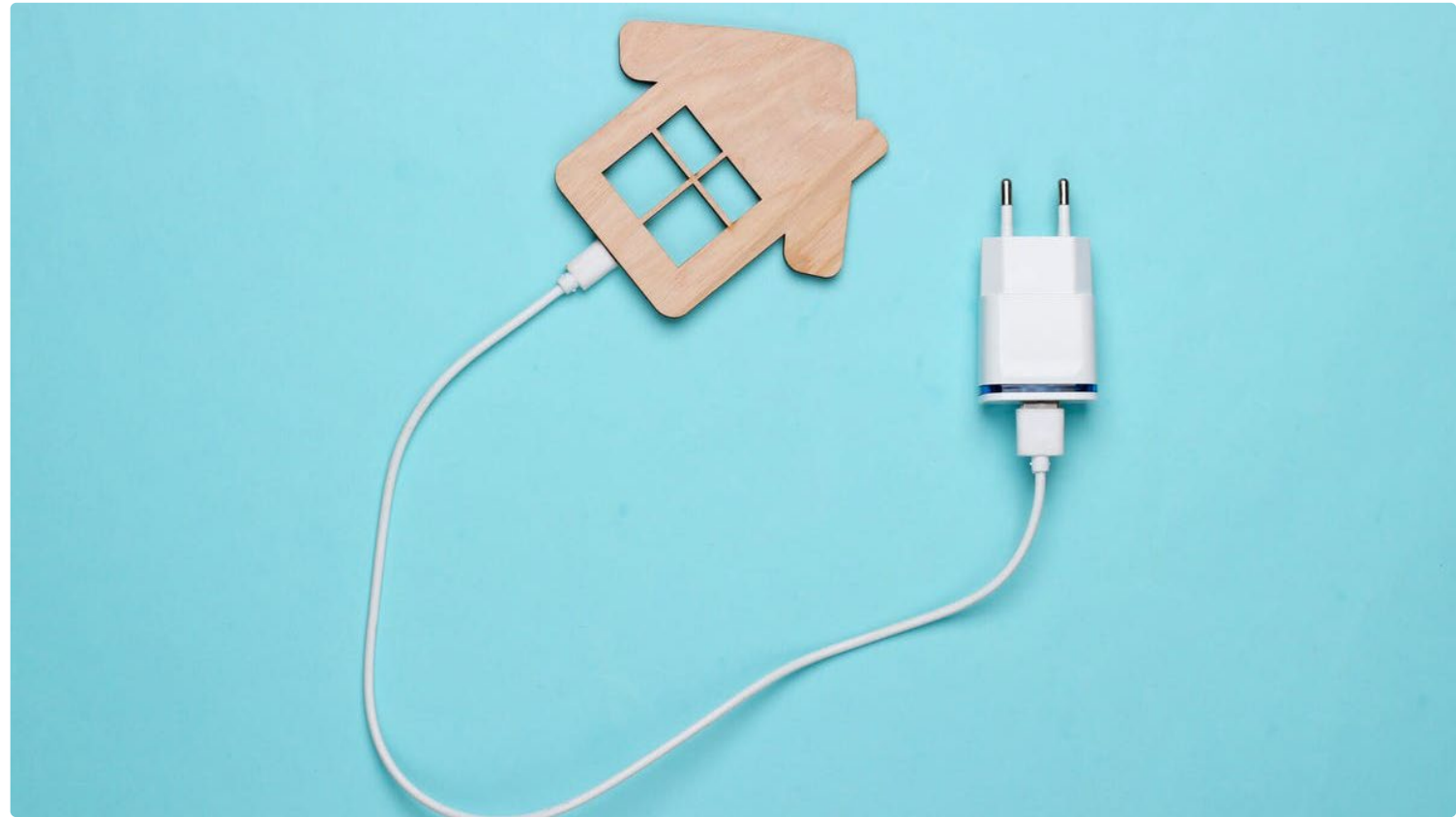
Most EV owners charge at home overnight. If you live in an apartment or condo, though, that's not so easy.



Dan Avery

July 22, 2023 6:00 a.m. PT

8 min read



Home charging is overwhelmingly the go-to option for EV owners, but it leaves apartment dwellers at a disadvantage.

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Art Friedson bought a Kia EV6 last August, his first full electric vehicle.

"My Prius was 10 years old and I wanted to make the move to fully electric," Friedson, a Chicago-based writer, told CNET. "I thought it was the environmentally responsible thing to do. And, just as important, I thought it was very cool."

Friedson and his wife live in a 30-unit condo in Lakeview that he estimates is about two decades old. Since there were already two EV chargers in the building, he assumed adding another wouldn't be a problem.

"I brought it to the board, but they were concerned about the building's electrical capacity," he said. "They told me we needed to wait."

Even some neighbors pushed back.

"Anytime you have 30 people in a building, you have a lot of opinions," he said. "There are people who are still

convinced electric cars are a passing fad. And other people who don't mind EVs but don't want to be inconvenienced."

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Tired of having to spend hours at Whole Foods to power up, Friedson volunteered to get answers. He brought in contractors who evaluated the situation and offered estimates.

Ultimately, the condo board approved his charger and even allocated funds for a formal assessment of the building's electrical use.

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than 24 hours and it was installed the following week," he said. "The whole on, cost \$3,600."

For most of the nearly one-third of Americans who live in apartments, condos, townhomes and other multifamily developments, however, the path to home charging isn't so smooth.

It's an issue that's only going to become more urgent as EV adoption increases. In the second quarter of 2023 alone, EV sales climbed roughly 48% over the same period last year. The disparity in access to convenient and affordable charging options has spurred officials, advocates and commercial outfits alike to seek out novel solutions.

Why it's so hard to get an EV charger installed in an apartment

Landlords and homeowner associations often balk at the cost of upgrading the electrical infrastructure and buying and installing the equipment. Or they worry about figuring out how to bill people and make sure multiple EVs charging at once doesn't overload the system.

The result is that many multifamily units, especially in urban areas, have become charging deserts. Nearly half of EV owners who live in apartments don't have home chargers, according to data from industry forecaster EVAdoption. That's compared with just 5% of single-family homeowners.

That's a big problem: Home charging is the de facto standard in the US, with 90% of EV drivers plugging in at night in a private garage, according to the Electric Vehicle Council. So it's unsurprising that homeowners are three times more likely than renters to buy an electric vehicle, a gap that persists across income levels, according to data from University of California, Berkeley.

The reality is the future of EV adoption may very well be in the hands of apartment dwellers: About two-thirds (65.9%) of Americans under 35 live in rentals and, according to a new Pew Research Center poll, that same demographic is the most open to buying an EV as their next car.

Without accessible, affordable and convenient charging for urbanites, analysts say, widespread EV use will never take hold.

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"It's the chicken and the egg," said Neda Deylami, vehicle electrification expert for the Environmental Defense Fund , an advocacy group. "No one wants [an EV] because the infrastructure isn't there. But the infrastructure isn't there because not enough people have EVs."

Deylami knows what she's talking about: Six years ago, she was a law student in Chicago, renting an apartment in a condo that didn't include a parking spot for her Nissan Leaf.

"People in the building would advertise spots for rent for something like \$200 a month," she said. "I'd talk to them and see if their space was close enough to an outlet for me to plug in."

It took Deylami six months of investigating to find a suitable spot. And even then the outlet was almost 20 feet away, the full length of her charging cables.

"This was 2017, and I was the first person to ask the building about EV charging," she said. "I'm sure by now there are a lot more EVs in that building. I hope they've figured something better out."

EV charging station in an apartment building



Right to charge laws aim to make it easier for residents of multi-unit dwellings to install EV chargers.
Tom Paiva Photography/Getty Images

Right to charge laws can lift barriers to convenient charging

Close to a dozen states have passed so-called "right to charge" laws that give residents the right to install chargers without unreasonable restrictions from landlords, property managers or homeowner associations.

The Illinois EV Charging Act signed by Gov. JB Pritzker on June 9 is the newest -- and the one of the most expansive. It's the first to extend protections to renters, not just owners, and the first to require new homes and

apartment buildings come EV-capable, with electrical infrastructure to support a charger should someone want to add one.

Illinois State Sen. Sara Feigenholtz, who introduced the Illinois EV Charging Act, represents Chicago's affluent Lincoln Park and Lakeview neighborhoods. She's also Art Friedson's representative.

"This is an area with a lot of condos and high-income residents," Feigenholtz said of the Sixth District. "And people are also very environmentally conscious -- I think we have the second largest Sierra Club membership in the country. So this is a prime spot for EVs. But buildings are clueless about how to move forward."

Read on: Learn How to Claim the \$7,500 EV Tax Credit

The original language of the Illinois bill would have required new houses and developments to be built with EV chargers in place. Opposition from developers and real estate agents forced proponents to walk that back to just being EV-capable, with conduits that could be used for a Level 2 charger at a future date.

Level 2 chargers, like the one Art Friedson installed, can average 32 miles of additional range after an hour of being plugged in. That's up to eight times faster than the more basic Level 1 charger, which will give you an average of just four miles in the same time frame.

But Level 2 chargers need to be professionally installed and can require upgrading your electrical system.

State Sen. Don DeWitte, a Republican from the 33rd District, called the original bill "a very expensive, unfunded mandate."

"It was written in such a way to require builders and even people remodeling to install the entire electrical infrastructure," said DeWitte, who represents St. Charles and other Chicagoland suburbs. "That's a license for electricians to put any number they want on that job. Even just to put the conduit in, I've heard people are being quoted \$1,115 to \$2,000."

DeWitte said he's not against making EV charging available, but he felt the real cost was being obfuscated. He said he was glad the bill was pared down, though he still voted against it.

"We could do much better with incentives rather than a mandate," he said. "Something like a property tax credit. Give 50% of the installation charge as a tax break. Or even 100%."

Other solutions are needed to bring urbanites into the EV future

Even proponents say right to charge laws are just a step in the right direction, especially since costs are largely carried by the resident.

"Your landlord might say OK, but the insurance company won't let you install one because of concerns over battery fires," said EVAdoption CEO Loren McDonald. "Or the HOA approves the request but the cost for upgrading the transformer is astronomical. The laws don't solve all the problems."

The real issue isn't with new buildings, according to McDonald. Developers who work on large projects already

understand this is a critical amenity.

"They'll usually install six Level 2 chargers in every complex and then add more if it's a market with high adoption," he said.

Read on: Where Are the EV Charging Deserts?

But according to US Census data , 60% of US apartment stock is from between 1959 and 1989. These older properties usually lack the electrical infrastructure to support multiple Level 2 chargers operating at once. And upgrades can cost upward of \$30,000.

"If you're a couple who own one or two apartment buildings, that's a big expense," McDonald said. "Are you going to invest in the chargers, or are you going to replace the carpets?"

Buildings can install Level 1 chargers, which can use a basic 120-volt outlet. The cost is much less, as is the impact on the building's power load.

But if we're envisioning a future where every parking spot is EV-ready, even a lot full of Level 1 chargers will require significant financial investment. To help ease the blow, the federal government offers tax credits of up to 30% of EV charging and installation costs for lower-income areas, funded through the Inflation Reduction Act of 2022.

Several states also have Make-Ready programs , where some of the costs are absorbed by utilities. Rebates from the Make-Ready program in New York reduce the upfront costs for Level 2 charging stations anywhere from 50% to 100%.

There are also state grants and carbon credits. Buildings can even generate income off a charger.

"If the property owner or the HOA buys the electricity at 10 cents a kilowatt, they can charge the driver 20 cents a kilowatt," said Nick Zamanov, head of sales at Cyber Switching , which has developed charging solutions for large apartments in several states.

They can also partner with third-party outfits like Amperage Capital that take responsibility for "the management, design, construction, permits and implementation" of Level 2 chargers in return for a share of the revenue.

At the end of the day, though, none of these solutions help people who don't have dedicated parking.

"Parking is just a major issue on its own," said Ingrid Malmgren, policy director for the EV advocacy group Plug In America. "Commercial charging is three to four times more expensive than charging at home. We're going to have to find multiple avenues and be really creative."

One solution, Malmgren said, is to install chargers in school parking lots: They're used by teachers during the day, and at night they're available to the community.

Another is curbside charging, with chargers on sidewalks using energy from utilities or compensated homeowners. (In England, EV drivers will soon be able to plug directly into lamp posts .)

Given President Joe Biden's goal of having EVs represent half of all new vehicles by 2030, advocates say a lot more

focus has to be given to the needs of urban drivers. The Bipartisan Infrastructure Law passed in 2021 set aside \$5 billion to develop a nationwide EV charging infrastructure, but it's aimed largely at interstates and highways.

"Unfortunately, I think we're overfocused on highways," McDonald said. "I get that we need to instill confidence -- and people love their road trips," McDonald said. Considering Americans only drive 30 miles a day on average, he added, "we need to think more locally."

"The best thing about having an EV is the convenience," McDonald said. "Pulling into your home and charging overnight. If you don't have that convenience, if you have to go somewhere else once or a few times a week, it's like 'eh, I'm gonna wait.'"

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