

Assembly Bill No. 1100

CHAPTER 819

An act to add Section 22511.2 to the Vehicle Code, relating to electric vehicles.

[Approved by Governor October 12, 2019. Filed with Secretary of State October 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1100, Kamlager-Dove. Electric vehicles: parking requirements.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities.

Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified. Existing law requires a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits, unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Under existing law, an "electric vehicle charging station" is one or more publicly available parking spaces served by electric vehicle service equipment, which is defined as an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.

Existing law authorizes a local authority, by ordinance or resolution, and a person in lawful possession of an offstreet parking facility to designate stalls or spaces in an offstreet parking facility owned or operated by that local authority or person for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. Existing law additionally authorizes a local authority, by ordinance or resolution, to designate stalls or spaces on a public street within its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

This bill would require a parking space served by electric vehicle supply equipment, as defined, and a parking space designated as a future electric

vehicle charging space, as defined, to be counted as at least one standard automobile parking space for the purpose of complying with any applicable minimum parking requirements established by a local jurisdiction. The bill would require an accessible parking space with an access aisle served by electric vehicle supply equipment and accessible parking space with an access aisle intended as a future electric vehicle charging space to be counted as at least 2 standard automobile parking spaces for the purpose of complying with any applicable minimum parking requirements established by a local jurisdiction.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The people of the State of California do enact as follows:

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

(a) The state has a goal to deploy 1.5 million zero-emission vehicles by 2025, and 5 million by 2030, respectively.

(b) The California Energy Commission's Electric Vehicle Infrastructure Projection modeling tool has determined 250,000 electric vehicle charging stations, inclusive of 10,000 DC fast chargers, are needed by 2025 to support the 2025 zero-emission vehicle deployment goal.

(c) To date, approximately 18,000 public charging stations, including approximately 2,700 DC fast chargers, have been installed in the state.

(d) The California Green Building Standards Code specifies the standards for the construction of California's buildings, including the infrastructure necessary to support the future installation of electric vehicle supply equipment.

(e) The California Green Building Standards Code currently does not define electric vehicle charging stations as parking spaces, despite the fact that these electric vehicles can be parked at a charging space for a lengthy period of time.

(f) Some local governments have required developers of electric vehicle supply equipment to construct additional parking space spaces to comply with locally mandated minimum parking requirements.

(g) The requirement to construct additional parking spaces can run counter to state environmental goals, is costly and often technically infeasible, and creates an artificial barrier to electric vehicle charging station deployment.

(h) Some local jurisdictions, including the Counties of Los Angeles, Sonoma, and Sacramento, and the Cities of Stockton, West Hollywood, Santa Barbara, and Pleasanton, have enacted ordinances to count electric vehicle charging spaces as one or more parking spaces for purposes of required parking.

(i) California must reduce unnecessary and arbitrary barriers to electric vehicle charging station deployment to support its 2025 and 2030 zero-emission vehicle deployment goals.

SEC. 2. Section 22511.2 is added to the Vehicle Code, to read:

22511.2. (a) A parking space served by electric vehicle supply equipment or a parking space designated as a future electric vehicle charging space shall count as at least one standard automobile parking space for the purpose of complying with any applicable minimum parking space requirements established by a local jurisdiction.

(b) An accessible parking space with an access aisle served by electric vehicle supply equipment or an accessible parking space with an aisle designated as a future electric vehicle charging space shall count as at least two standard automobile parking spaces for the purpose of complying with any applicable minimum parking space requirements established by a local jurisdiction.

(c) This section does not modify the approval requirements for an electric vehicle charging station pursuant to Section 65850.7 of the Government Code.

(d) The following definitions apply for purposes of this section:

(1) “Electric vehicle supply equipment” has the same definition as that term is used in the latest published version of the California Electrical Code, that is in effect, and applies to any level or capacity of supply equipment installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

(2) “Electric vehicle charging space” means a space designated by a local jurisdiction for charging electric vehicles.

(3) “Local jurisdiction” means a city, including a charter city, county, or city and county.

SEC. 3. The Legislature finds and declares that ensuring access to electric vehicle charging spaces is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this act applies to all cities, including a charter city.