



CALIFORNIA NON-RESIDENTIAL EV-CHARGING REGULATIONS (EFFECTIVE JANUARY 1, 2023)

The Building Standards Commission (BSC) is scheduled to adopt these changes to CalGreen at their December 14-16 hearing. Given the Governor's strong support for Electric Vehicles, it is safe to assume these amendments to the code will be adopted. CBPA, ICSC, BOMA Cal, and NAIOP Cal fought hard for more than a year to assure these regulations were as reasonable as possible.

BOTTOM LINE

Parking spaces in the lot of new parking facility:

- 4% must provide fully-functioning, Level-2 EV Charging Systems
- 16% must be EV-capable (providing a conduit that connects the electrical panel with the parking spot and enough capacity for 240-volt/40 amp back at the electrical panel).
- Applies to plans submitted on or after January 1, 2023

BACKGROUND/MORE DETAIL

Regs delete the old requirement that a percentage of parking spaces be designated as "parking for clean air vehicles." This is being done because of the increase in the stringency of other related regulations.

- Of the total number of parking spaces, 20% will have to be EV-Capable spaces. This means projects must have an empty conduit connecting the parking space to an electrical panel with enough available capacity to serve the later installation of a 240-volt outlet.
- Of the 20% of spaces that must be EV-Capable, 25% must provide fully functioning Level 2 EV-Charging Systems....240-volts/40 amp.
- There is **no** state mandate for Level-3, fast-charging systems. However, some local jurisdictions may amend the state code to require these.

EXEMPTIONS

At the request of industry Several exemptions will address typical constraints in the field.

- If the local utility is unable to supply adequate power, projects don't have to comply.
- Where there is evidence suitable to the local building department substantiating that additional utility infrastructure design requirements directly related to the EV charging regs may adversely impact the project's construction cost. *Make sure your company is prepared to provide the local building official adequate documentation to support this exemption.*

What projects will these new standards apply?

As specified in Health & Safety Code 18938.5:

- Projects must comply with the set of codes that are in effect on the day plans are **submitted** for the initial **permit application**. *So, if a permit application is submitted in the last quarter of 2022, the project must comply with the codes that took effect on 7/1/21. If the permit application is submitted anytime in 2022, you do NOT have to comply with the new regs as they take effect on 1/1/23.*
- Once the local jurisdiction **issues** your permit, which can happen months after the initial permit application, you have 12 months to start work on that permit. *This period used to be six months but was doubled to 12 months via legislation sponsored by your Real Estate Associations at the Capitol.*
- Lastly, local jurisdictions now have the authority to grant an unlimited number of 6-month extensions. Make sure you are prepared to provide the local jurisdiction with adequate documentation to support this request.

LINKS TO MORE INFO: {code language when adopted} {Implementation Page}