

January 25, 2022

Hon. Joseph J. Solomon, Jr., Chairman House Committee on Corporations Rhode Island State House 82 Smith Street Providence, RI 02903

RE: House Bill 7112 – EV Charging Infrastructure

Dear Chairman Solomon:

On behalf of the Alliance for Automotive Innovation (Auto Innovators), thank you for the opportunity to provide comment on House Bill 7112, needed legislation that seeks to establish expanded electric vehicle infrastructure obligations on the construction/major renovation of parking facilities. Focused on creating a safe and transformative path for sustainable industry growth, the Alliance for Automotive Innovation represents automakers producing nearly 98 percent of all cars and light trucks sold in the U.S., major Tier 1 suppliers, as well as other automotive technology companies.

I would first like to commend both the sponsor for filing this important legislation, and the committee for recognizing its significance and scheduling the legislation for a hearing early in the legislative session.

Auto Innovators' members are committed to the decarbonization of the transportation sector and are working diligently to expand motor vehicle offerings of battery electric vehicles, plug-in hybrid electric vehicles, and fuel cell electric vehicles with ranges, price points, and vehicle types to satisfy all customers' needs. IHS Markit predicts there will be 130 zero emission vehicles (ZEV) models for sale in the U.S. market by 2026, up from roughly 50 models today¹. This growing marketplace is the result of many years of research and development across the automotive industry. In fact, it is estimated that automakers will have invested \$330 billion on vehicle electrification between 2018 and 2025, a truly staggering amount of money – all focused on making an electric vehicle future a reality.

But our members cannot do it alone.

Government entities clearly have a role to play to help transition the driving public to ZEV – among other things: leading by example and putting ZEV in the state's vehicle fleet; instituting well-funded point-of-sale incentives to support purchasing ZEV and charging stations; providing beneficial utility rates for charging of ZEV; and expanding public recharging/refueling infrastructure. It is on this last point that HB 7112 rightfully focuses.

Many studies rightly point out that 80-90% of EV charging occurs at home². The remaining 10-20% is largely comprised of residents who live in Multi-Unit Dwellings (MUD) and those drivers who need additional charging while away from home. The lack of viable public, fast-charging options to address both of these use-cases stands as a serious impediment to EV-adoption.

¹Stephanie Brinkley, IHS Markit Forecasts EV Sales to Reach US Market Share of 7.6% in 2026, IHS Markit, <u>https://ihsmarkit.com/research-analysis/--ihs-markit-forecasts-ev-sales-us.html</u> (May 28, 2019).

² For example, see: (1) <u>Electric Vehicle Charging Infrastructure Assessment: Analyzing Charging Needs to Support Zero-Emission Vehicles in</u> 2030. California Energy Commission. Publication - <u>National Plug-In Electric Vehicle Infrastructure Analysis. National Renewable Energy</u> <u>Laboratory</u>

This legislation would require all newly constructed parking lots, as well as existing parking areas that undergo major renovation, to build into their construction plans the ability for a specific number of parking spaces – based on overall parking lot size – to be supported by electric vehicle charging stations. Making such accommodations at time of construction is dramatically cheaper than retrofitting existing parking structures with chargers outside a major renovation. Passing HB 7112 will help grant MUD residents and other drivers who need augmented charging more options to charge and will remove a considerable impediment to EV adoption. The tangible changes contained in HB 7122 are exactly the type needed to help achieve a decarbonized transportation future.

While we share the sponsor's intent and support the underlying legislation, we do think there are a few areas that could be improved within the bill as filed:

- 1. Though it moves in the right direction, HB 7112 does not actually require any usable charging infrastructure to be installed; it only requires the rough-in service to be built. We would suggest the inclusion of language to specify a minimum number of installed electric vehicle supply equipment for both MUD and commercial settings.
- 2. We would suggest that the chart contained in Section (d), which details the ratio of electric vehicle parking spots needed based on the number of all spaces, should be recalibrated to start at a lower point perhaps 0 spots for 0-4; 1 spot for 5-15; 2 spots for 16-30; 4 spots for 31-60; 6 spots for 61-90; 8 spots for 90-120; 10 spots for 121-150; 12 spots for 151-180; for 181 and over a ratio of 6.67%. This is roughly a ratio of 1/15 carried throughout the calculation.
- 3. While the intent of the legislation can be divined, there are some points within the bill where more clarity could be achieved. We would recommend striking the words "electrical vehicle charging stations" within the definition of "EV capable," and replacing with "designated parking space,." This would remove confusion and align this definition with the definition of "EV Ready" below. I have also attached a model bill supported by our members, for your reference. One additional term used in our model that may help provide clarity is the term "EVSE Installed" to denote active, working charging infrastructure.

With that said, we believe strongly in the intent behind this bill and passing this legislation would put Rhode Island as a leader on this path, a path every state will need to cross if we are to successfully work together to build a viable ZEV marketplace for all.

Sincerely,

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Wayne Weikel Senior Director, State Government Affairs

cc: Members, House Committee on Corporations

Model Building Code Legislation

SECTION 1. (1) As used in this section:

- (a) "EV-Capable" means parking spaces that have the electrical panel capacity and conduit installed during construction to support future implementation of EV charging with 208/240-volt (or greater), 40-ampere (or greater) circuits. The same circuit may be used to support charging in adjacent EV-Capable spaces.
- (b) "EV-Ready" means parking spaces that have full circuit installations of 208/240-volt (or greater), 40-ampere (or greater) panel capacity, raceway wiring, receptacle and circuit overprotection devices. The same circuit may be used to support charging in adjacent EV-Ready spaces.
- (c) "EVSE-Installed" means EV Supply Equipment (EVSE) that is fully installed from the electrical panel to the parking space.
- (d) "Electric vehicle charging station" means a device or facility for delivering electricity for motor vehicles that use electricity for propulsion.
- (e) "Municipality" has the meaning given that term in [state statute].
- (f) "Townhouse" has the meaning given that term in [state statute].

(2) The Director of the [appropriate state agency with authority to adopt building codes] shall adopt amendments to the state building code to require newly constructed buildings, or buildings undergoing significant renovation that include electric panel or parking upgrades, described in subsection (3)(a) of this section to include provisions for electrical service capacity for charging electric vehicles. The code must require that each building include, at a minimum, provisions for electrical service capacity at no less than the percent of vehicle parking spaces specified in Section 3(a) in the garage or parking area for the building. Fractional numbers derived from a calculation of the vehicle parking spaces must be rounded up to the nearest whole number. The code shall allow EVSE-Installed to replace either EV-Ready or EV-Capable parking spaces, and EV-Ready to replace EV-Capable parking spaces.

(3)(a) The director shall make code requirements under subsection (2) of this section applicable only to:

(A) Commercial buildings under private ownership 10 percent of total parking spaces must be EVSE-installed. An additional 15 percent of the spaces must be EV-Ready; the code may allow a compliance pathway that allows commercial buildings to replace EV-Ready or EVSE-installed parking spaces with a direct current fast charger (DCFC) that can provide a minimum of 50 kW of power to an EV at a ratio of 5-to-1 (e.g., one 50 kW DCFC could replace 5 EVSE-Installed or EV-Ready spots, three DCFCs could replace 15 EVSE-Installed or EV-Ready spots).

(B) Multifamily residential buildings 20 percent of total parking spaces must be EVSE-installed, and an additional 50 percent of the spaces must be EV-Ready, and the remaining 30 percent of the spaces must be EV-capable; and

(C) Mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units must comply with the requirements in (3)(a)(A) for total commercial parking spaces and (3)(a)(B) for total residential parking spaces.

(D) Townhouses and single-family residential units - 100 percent of total parking spaces must be EV-ready, unless a single residential unit is assigned two adjoining parking spaces, in which case both spaces may be served by a single EV-ready connection.

(4) Notwithstanding [state code that preempts local ordinances and rules, if applicable], a municipality may, by process concerning land use, require that each newly constructed building described in subsection (3)(a) of this section include provisions for electrical service capacity to accommodate more than the minimum percentage indicated in that subsection, of vehicle parking spaces in the garage or parking area for the building.

SECTION 2. The Director shall ensure that initial amendments to the state building code required by section 1 of this 2022 Act:

(1) Take effect on July 1, 2023; and

(2) Apply to new construction for which a person first applies for a building permit on or after July 1, 2023.