

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1993

with committee amendments

STATE OF NEW JERSEY

DATED: JULY 20, 2020

The Assembly Environment and Solid Waste Committee reports favorably and with committee amendments Assembly Bill No. 1993.

This bill, as amended by the committee, would require developers to offer electric vehicle charging stations as an option in new home construction.

Specifically, the bill would require a developer of a residential development of 25 or more dwelling units to offer to install an electric vehicle charging station at a dwelling unit when a prospective owner enters into negotiations with the developer to purchase a dwelling unit. The bill would require a developer to disclose that a prospective owner may have an electric vehicle charging station installed at any dwelling unit, and, upon request by the prospective homeowner, disclose the total cost of installing an electric vehicle charging station that would be charged to the owner by the developer. The developer would also be required, unless the installation of an electric vehicle charging station is included in the sale of the dwelling unit at no cost to the prospective owner, to inform the prospective owner of the availability on the Internet website of the Department of Community Affairs (DCA) of general information on the environmental benefits of, and potential energy cost savings associated with, electric vehicle usage, and information concerning any applicable credits, rebates, or other incentives that may be available for the installation of an electric vehicle charging station.

The bill would also require every contract of sale for a dwelling unit to include a notification by the developer to the prospective owner of the offer to install, or to provide for the installation of, an electric vehicle charging station at the dwelling unit pursuant to this bill.

Under the bill, if a prospective owner agrees to have an electric vehicle charging station installed, then the developer would be required to install an electric vehicle charging station at that dwelling unit.

The bill provides that if the dwelling unit is located in a residential development in which a homeowner or other owner or membership association will be responsible for the maintenance, repair, or

replacement of the dwelling unit or other area in which an electric vehicle charging station is installed, and the association incurs any additional cost or expense resulting from the installation of an electric vehicle charging station, such as the additional cost to remove and reinstall the equipment in the course of maintenance, repair, or replacement, or the electricity usage associated with the electric vehicle charging station, then the association would have the right to: (1) impose and collect the additional cost or expense from the owner of the dwelling unit, in the same manner as any other common expense or fee of the development; (2) access the dwelling unit as may be reasonably required to perform such maintenance, repair, or replacement; and (3) record a declaration or similar instrument, in the same manner as a deed, with the county clerk for the purpose of advising current and prospective owners of the dwelling unit that they may be responsible for the associated additional costs and expenses.

The bill would apply to any dwelling unit for which a construction permit is issued on or after the 90th day following the date of enactment of the bill into law.

As amended and reported by the committee, this bill is identical to Senate Bill No. 349 (1R) as also reported by the committee.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) Delete the requirement for developers to disclose in any advertising to prospective owners the option for the installation of an electric vehicle charging station, and delete the definition for the term “advertising”;

(2) Require that the electric vehicle charging stations offered by developers under the bill be capable of two-way communications, data sharing, and load control functionality with an electric public utility;

(3) Provide that if an electric vehicle charging station is already included in the sale of a dwelling unit at no cost to the prospective owner, a developer would not be required to notify prospective buyers of the availability of certain information regarding the environmental benefits of electric vehicles and potential credits, rebates, or other incentives;

(4) Require every contract of sale for a dwelling unit to include a notification by the developer to the prospective owner of the offer to install, or to provide for the installation of, an electric vehicle charging station at the dwelling unit;

(5) Require the DCA Commissioner, in consultation with the Department of Environmental Protection and the Board of Public Utilities, to compile, and make available on the DCA’s Internet website, information for prospective owners and developers concerning the environmental benefits of, and potential energy cost savings associated with, electric vehicle usage and any applicable credits, rebates, or other incentives that may be available to the

prospective owner for the installation of an electric vehicle charging station;

(6) Require the information to be made available on the DCA's website to also inform prospective owners and developers of the availability of various types of electric vehicle charging stations;

(7) Specify, in section 3 of the bill, that the requirement for a developer to complete installation of an electric vehicle charging station prior to closing would not apply in the event of material unavailability or acts of force majeure; and

(8) Clarify, in section 4 of the bill, that the additional cost or expense a homeowner or other owner or membership association may impose or collect from the owner of the dwelling unit includes the electricity usage associated with the electric vehicle charging station.