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FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

Also, of possible interest:

Committee meeting of Assembly Transportation and Independent Authorities Committee [and] Assembly Environment and Solid Waste Committee: the Committees will meet jointly to receive testimony from invited guests concerning electric vehicles; the Committees will also receive testimony from the public on Assembly Bill No. 4634, which would establish goals, initiatives, and programs to encourage and support the use of plug-in electric vehicles [December 10, 2018, Trenton, New Jersey]
Call number: 974.90 A939, 2018b
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RWH/CL

P.L. 2020, CHAPTER 80, *approved September 14, 2020*
Senate, No. 349 (*First Reprint*)

1 **AN ACT** concerning the installation of electric vehicle charging
2 stations in certain new residential construction and
3 supplementing Title 52 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 ¹["Advertising" means the same as that term is defined in
10 section 3 of P.L.1977, c.419 (C.45:22A-23).]¹

11 "Commissioner" means the Commissioner of Community
12 Affairs.

13 "Designated parking space" means a parking space specifically
14 designated for use by an owner of a particular dwelling unit,
15 including, but not limited to, a garage, a deeded parking space, or a
16 parking space in a limited common element that is restricted for use
17 by one or more dwelling unit owners.

18 "Developer" means any person who constructs or offers to
19 construct a dwelling unit as part of a residential development.

20 "Dwelling unit" means a single-family residence constructed as
21 part of a ¹residential¹ development, which includes a designated
22 parking space which is exclusive to that residence and not a
23 common element or common area.

24 "Electric vehicle charging station" means a station that is
25 designed in compliance with the State Uniform Construction Code,
26 adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that
27 delivers electricity from a source outside an electric vehicle into
28 one or more electric vehicles, and that ¹[is capable of providing]
29 provides¹, at a minimum, Level 2 charging ¹that is capable of two-
30 way communications, data sharing, and load control functionality
31 with an electric public utility¹.

32 "Owner" means any person who acquires a legal or equitable
33 interest in a dwelling unit.

34 "Prospective owner" means any person who contemplates
35 acquiring a legal or equitable interest in a dwelling unit.

36 "Residential development" means development undertaken for
37 the purpose of creating 25 or more dwelling units for owner
38 occupancy.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted June 4, 2020.

- 1 2. a. A developer shall offer to install, or to provide for the
2 installation of, an electric vehicle charging station into a dwelling
3 unit when a prospective owner enters into negotiations with the
4 developer to purchase a dwelling unit.
- 5 b. ¹~~【A】~~ Prior to entering into a contract of sale for a dwelling
6 unit, a¹ developer shall ¹~~【disclose in any advertising, in a manner~~
7 ~~and form determined by the commissioner pursuant to the~~
8 ~~“Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-~~
9 ~~1 et seq.)】~~¹ :
- 10 (1) ¹~~disclose~~¹ that a prospective owner may have an electric
11 vehicle charging station installed at any dwelling unit ¹~~【~~;
- 12 (2) ~~】~~ , and upon request by the prospective owner, ~~disclose~~¹ the
13 total cost of installing an electric vehicle charging station at a
14 dwelling unit that will be charged to the owner by the developer;
- 15 ¹~~【(3)】~~ and
- 16 (2) unless the installation of an electric vehicle charging station
17 is included in the sale of the dwelling unit at no cost to the
18 prospective owner, inform the prospective owner of the availability
19 on the Internet website of the Department of Community Affairs of¹
20 general information on the environmental benefits of, and potential
21 energy cost savings associated with, electric vehicle usage ¹~~【~~; and
- 22 (4) information concerning ~~】~~ and¹ any applicable credits, rebates,
23 or other incentives that may be available to the prospective owner
24 for the installation of an electric vehicle charging station.
- 25 ¹c. Every contract of sale for a dwelling unit shall include a
26 notification by the developer to the prospective owner of the offer
27 to install, or to provide for the installation of, an electric vehicle
28 charging station at the dwelling unit pursuant to this section.
- 29 d. The commissioner, in consultation with the Department of
30 Environmental Protection and the Board of Public Utilities, shall
31 compile, and make available on the Internet website of the
32 Department of Community Affairs, information for prospective
33 owners and developers concerning the environmental benefits of,
34 and potential energy cost savings associated with, electric vehicle
35 usage and any applicable credits, rebates, or other incentives that
36 may be available to the prospective owner for the installation of an
37 electric vehicle charging station. The information required pursuant
38 to this subsection shall inform prospective owners and developers
39 of the availability of various types of electric vehicle charging
40 stations.¹
- 41
- 42 3. If the prospective owner accepts, pursuant to a written
43 contract, the developer's offer to install, or to provide for the
44 installation of, an electric vehicle charging station at the dwelling
45 unit, then the developer shall install, or provide for the installation

1 of, an electric vehicle charging station at the dwelling unit prior to
2 the closing of title on the sale of the dwelling unit ¹, subject to
3 material availability or acts of force majeure in which case the
4 developer shall complete the installation as soon as reasonably
5 practical¹.

6
7 4. If the dwelling unit is located within a residential
8 development for which a homeowner association or other owner or
9 membership association will be responsible for the maintenance,
10 repair, or replacement of the area in which an electric vehicle
11 charging station is installed, and the association incurs any
12 additional cost or expense resulting from the installation of an
13 electric vehicle charging station, such as the additional cost to
14 remove and reinstall the equipment in the course of maintenance,
15 repair, or replacement, ¹or the electricity usage associated with the
16 electric vehicle charging station,¹ then the association shall have the
17 right to:

18 a. impose and collect the additional cost or expense from the
19 owner of the dwelling unit, which shall be collectible in the same
20 manner as any other common expense or fee of the development;

21 b. access the dwelling unit as may be reasonably required to
22 perform such maintenance, repair, or replacement; and

23 c. record a declaration or similar instrument, in the same
24 manner as a deed, with the county clerk for the purpose of advising
25 current and prospective owners of the dwelling unit that they may
26 be responsible for the additional costs and expenses described in
27 this section.

28
29 5. The commissioner shall enforce the provisions of this act
30 and may assess violators of this act in accordance with the penalties
31 provided for under section 18 of P.L.1977, c.419 (C.45:22A-38).

32
33 6. This act shall take effect immediately and shall apply to any
34 dwelling unit for which a construction permit is issued on or after
35 the 90th day following the date of enactment.

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39
40 Requires developers to offer electric vehicle charging stations as
41 option in certain new home construction.

SENATE, No. 349

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires developers to offer electric vehicle charging stations as option in certain new home construction.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/24/2020)

1 AN ACT concerning the installation of electric vehicle charging
2 stations in certain new residential construction and
3 supplementing Title 52 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 “Advertising” means the same as that term is defined in section 3
10 of P.L.1977, c.419 (C.45:22A-23).

11 “Commissioner” means the Commissioner of Community
12 Affairs.

13 “Designated parking space” means a parking space specifically
14 designated for use by an owner of a particular dwelling unit,
15 including, but not limited to, a garage, a deeded parking space, or a
16 parking space in a limited common element that is restricted for use
17 by one or more dwelling unit owners.

18 “Developer” means any person who constructs or offers to
19 construct a dwelling unit as part of a residential development.

20 “Dwelling unit” means a single-family residence constructed as
21 part of a development, which includes a designated parking space
22 which is exclusive to that residence and not a common element or
23 common area.

24 “Electric vehicle charging station” means a station that is
25 designed in compliance with the State Uniform Construction Code,
26 adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that
27 delivers electricity from a source outside an electric vehicle into
28 one or more electric vehicles, and that is capable of providing, at a
29 minimum, Level 2 charging.

30 “Owner” means any person who acquires a legal or equitable
31 interest in a dwelling unit.

32 “Prospective owner” means any person who contemplates
33 acquiring a legal or equitable interest in a dwelling unit.

34 “Residential development” means development undertaken for
35 the purpose of creating 25 or more dwelling units for owner
36 occupancy.

37
38 2. a. A developer shall offer to install, or to provide for the
39 installation of, an electric vehicle charging station into a dwelling
40 unit when a prospective owner enters into negotiations with the
41 developer to purchase a dwelling unit.

42 b. A developer shall disclose in any advertising, in a manner
43 and form determined by the commissioner pursuant to the
44 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
45 1 et seq.):

- 1 (1) that a prospective owner may have an electric vehicle
2 charging station installed at any dwelling unit;
- 3 (2) the total cost of installing an electric vehicle charging station
4 at a dwelling unit that will be charged to the owner by the
5 developer;
- 6 (3) general information on the environmental benefits of, and
7 potential energy cost savings associated with, electric vehicle
8 usage; and
- 9 (4) information concerning any applicable credits, rebates, or
10 other incentives that may be available to the prospective owner for
11 the installation of an electric vehicle charging station.

12

13 3. If the prospective owner accepts, pursuant to a written
14 contract, the developer's offer to install, or to provide for the
15 installation of, an electric vehicle charging station at the dwelling
16 unit, then the developer shall install, or provide for the installation
17 of, an electric vehicle charging station at the dwelling unit prior to
18 the closing of title on the sale of the dwelling unit.

19

20 4. If the dwelling unit is located within a residential
21 development for which a homeowner association or other owner or
22 membership association will be responsible for the maintenance,
23 repair, or replacement of the area in which an electric vehicle
24 charging station is installed, and the association incurs any
25 additional cost or expense resulting from the installation of an
26 electric vehicle charging station, such as the additional cost to
27 remove and reinstall the equipment in the course of maintenance,
28 repair, or replacement, then the association shall have the right to:

29 a. impose and collect the additional cost or expense from the
30 owner of the dwelling unit, which shall be collectible in the same
31 manner as any other common expense or fee of the development;

32 b. access the dwelling unit as may be reasonably required to
33 perform such maintenance, repair, or replacement; and

34 c. record a declaration or similar instrument, in the same
35 manner as a deed, with the county clerk for the purpose of advising
36 current and prospective owners of the dwelling unit that they may
37 be responsible for the additional costs and expenses described in
38 this section.

39

40 5. The commissioner shall enforce the provisions of this act
41 and may assess violators of this act in accordance with the penalties
42 provided for under section 18 of P.L.1977, c.419 (C.45:22A-38).

43

44 6. This act shall take effect immediately and shall apply to any
45 dwelling unit for which a construction permit is issued on or after
46 the 90th day following the date of enactment.

1 STATEMENT

2
3 This bill would require developers to offer electric vehicle
4 charging stations as an option in new home construction.

5 Specifically, this bill would require a developer of a residential
6 development of 25 or more dwelling units to offer to install an
7 electric vehicle charging station at a dwelling unit when a
8 prospective owner enters into negotiations with the developer to
9 purchase a dwelling unit. In order to inform prospective buyers of
10 this option, a developer would be required to disclose in any
11 advertising: that a prospective owner may have an electric vehicle
12 charging station installed at any dwelling unit; the total cost of
13 installing an electric vehicle charging station that will be charged to
14 the owner by the developer; general information on the
15 environmental benefits and the potential energy cost savings,
16 general information on the environmental benefits of, and potential
17 energy cost savings associated with, electric vehicle usage; and
18 information concerning any applicable credits, rebates, or other
19 incentives that may be available for the installation of an electric
20 vehicle charging station.

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

25 The bill provides that if the dwelling unit is located in a
26 residential development in which a homeowner or other owner or
27 membership association will be responsible for the maintenance,
28 repair, or replacement of the dwelling unit or other area in which an
29 electric vehicle charging station is installed, and the association
30 incurs any additional cost or expense resulting from the installation
31 of an electric vehicle charging station, such as the additional cost to
32 remove and reinstall the equipment in the course of maintenance,
33 repair, or replacement, then the association would have the right to:
34 (1) impose and collect the additional cost or expense from the
35 owner of the dwelling unit, in the same manner as any other
36 common expense or fee of the development; (2) access the dwelling
37 unit as may be reasonably required to perform such maintenance,
38 repair, or replacement; and (3) record a declaration or similar
39 instrument, in the same manner as a deed, with the county clerk for
40 the purpose of advising current and prospective owners of the
41 dwelling unit that they may be responsible for the associated
42 additional costs and expenses.

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

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 349

STATE OF NEW JERSEY

DATED: JULY 20, 2020

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 349 (1R).

This bill 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 reported by the committee, this bill is identical to Assembly Bill No. 1993 as amended and reported by the committee.

ASSEMBLY, No. 1993

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Assemblyman Danielsen

SYNOPSIS

Requires developers to offer electric vehicle charging stations as option in certain new home construction.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/3/2020)

1 AN ACT concerning the installation of electric vehicle charging
2 stations in certain new residential construction and
3 supplementing Title 52 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 “Advertising” means the same as that term is defined in section 3
10 of P.L.1977, c.419 (C.45:22A-23).

11 “Commissioner” means the Commissioner of Community
12 Affairs.

13 “Designated parking space” means a parking space specifically
14 designated for use by an owner of a particular dwelling unit,
15 including, but not limited to, a garage, a deeded parking space, or a
16 parking space in a limited common element that is restricted for use
17 by one or more dwelling unit owners.

18 “Developer” means any person who constructs or offers to
19 construct a dwelling unit as part of a residential development.

20 “Dwelling unit” means a single-family residence constructed as
21 part of a development, which includes a designated parking space
22 which is exclusive to that residence and not a common element or
23 common area.

24 “Electric vehicle charging station” means a station that is
25 designed in compliance with the State Uniform Construction Code,
26 adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that
27 delivers electricity from a source outside an electric vehicle into
28 one or more electric vehicles, and that is capable of providing, at a
29 minimum, Level 2 charging.

30 “Owner” means any person who acquires a legal or equitable
31 interest in a dwelling unit.

32 “Prospective owner” means any person who contemplates
33 acquiring a legal or equitable interest in a dwelling unit.

34 “Residential development” means development undertaken for
35 the purpose of creating 25 or more dwelling units for owner
36 occupancy.
37

38 2. a. A developer shall offer to install, or to provide for the
39 installation of, an electric vehicle charging station into a dwelling
40 unit when a prospective owner enters into negotiations with the
41 developer to purchase a dwelling unit.

42 b. A developer shall disclose in any advertising, in a manner
43 and form determined by the commissioner pursuant to the
44 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
45 1 et seq.):

46 (1) that a prospective owner may have an electric vehicle
47 charging station installed at any dwelling unit;

48 (2) the total cost of installing an electric vehicle charging station

1 at a dwelling unit that will be charged to the owner by the
2 developer;

3 (3) general information on the environmental benefits of, and
4 potential energy cost savings associated with, electric vehicle
5 usage; and

6 (4) information concerning any applicable credits, rebates, or
7 other incentives that may be available to the prospective owner for
8 the installation of an electric vehicle charging station.

9
10 3. If the prospective owner accepts, pursuant to a written
11 contract, the developer's offer to install, or to provide for the
12 installation of, an electric vehicle charging station at the dwelling
13 unit, then the developer shall install, or provide for the installation
14 of, an electric vehicle charging station at the dwelling unit prior to
15 the closing of title on the sale of the dwelling unit.

16
17 4. If the dwelling unit is located within a residential
18 development for which a homeowner association or other owner or
19 membership association will be responsible for the maintenance,
20 repair, or replacement of the area in which an electric vehicle
21 charging station is installed, and the association incurs any
22 additional cost or expense resulting from the installation of an
23 electric vehicle charging station, such as the additional cost to
24 remove and reinstall the equipment in the course of maintenance,
25 repair, or replacement, then the association shall have the right to:

26 a. impose and collect the additional cost or expense from the
27 owner of the dwelling unit, which shall be collectible in the same
28 manner as any other common expense or fee of the development;

29 b. access the dwelling unit as may be reasonably required to
30 perform such maintenance, repair, or replacement; and

31 c. record a declaration or similar instrument, in the same
32 manner as a deed, with the county clerk for the purpose of advising
33 current and prospective owners of the dwelling unit that they may
34 be responsible for the additional costs and expenses described in
35 this section.

36
37 5. The commissioner shall enforce the provisions of this act
38 and may assess violators of this act in accordance with the penalties
39 provided for under section 18 of P.L.1977, c.419 (C.45:22A-38).

40
41 6. This act shall take effect immediately and shall apply to any
42 dwelling unit for which a construction permit is issued on or after
43 the 90th day following the date of enactment.

44
45

46 STATEMENT

47
48

49 This bill would require developers to offer electric vehicle
charging stations as an option in new home construction.

50 Specifically, this bill would require a developer of a residential

1 development of 25 or more dwelling units to offer to install an
2 electric vehicle charging station at a dwelling unit when a
3 prospective owner enters into negotiations with the developer to
4 purchase a dwelling unit. In order to inform prospective buyers of
5 this option, a developer would be required to disclose in any
6 advertising: that a prospective owner may have an electric vehicle
7 charging station installed at any dwelling unit; the total cost of
8 installing an electric vehicle charging station that will be charged to
9 the owner by the developer; general information on the
10 environmental benefits and the potential energy cost savings,
11 general information on the environmental benefits of, and potential
12 energy cost savings associated with, electric vehicle usage; and
13 information concerning any applicable credits, rebates, or other
14 incentives that may be available for the installation of an electric
15 vehicle charging station.

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

20 The bill provides that if the dwelling unit is located in a
21 residential development in which a homeowner or other owner or
22 membership association will be responsible for the maintenance,
23 repair, or replacement of the dwelling unit or other area in which an
24 electric vehicle charging station is installed, and the association
25 incurs any additional cost or expense resulting from the installation
26 of an electric vehicle charging station, such as the additional cost to
27 remove and reinstall the equipment in the course of maintenance,
28 repair, or replacement, then the association would have the right to:
29 (1) impose and collect the additional cost or expense from the
30 owner of the dwelling unit, in the same manner as any other
31 common expense or fee of the development; (2) access the dwelling
32 unit as may be reasonably required to perform such maintenance,
33 repair, or replacement; and (3) record a declaration or similar
34 instrument, in the same manner as a deed, with the county clerk for
35 the purpose of advising current and prospective owners of the
36 dwelling unit that they may be responsible for the associated
37 additional costs and expenses.

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

41 Requires developers to offer electric vehicle charging stations as
42 option in certain new home construction.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1993

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 2020

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

This bill would require developers to offer electric vehicle charging stations as an option in new home construction.

Specifically, this 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. In order to inform prospective buyers of this option, a developer would be required to disclose in any advertising: that a prospective owner may have an electric vehicle charging station installed at any dwelling unit; the total cost of installing an electric vehicle charging station that will be charged to the owner by the developer; general information on the environmental benefits and the potential energy cost savings, 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.

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, 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.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

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.

Governor Murphy Takes Action on Legislation

09/14/2020

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

S-349/A-1993 (Smith, Greenstein/Pinkin, Benson, Kennedy) – Requires developers to offer electric vehicle charging stations as option in certain new home construction

S-806/A-895 (Cunningham, Pou/Giblin, Timberlake, Jasey) – Provides that New Jersey Better Educational Savings Trust (NJBEST) Program scholarship may be awarded in any semester of attendance or enrollment at institution of higher education in State

S-960/A-3628 (Rice/Lopez) – Requires parent to provide completed financial aid application to Higher Education Student Assistance Authority if parent's dependent applies to State for student financial aid

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S-971/A-2106 (Lagana, Cunningham, Weinberg/Swain, Tully, Wimberly) – "New Jersey Fair Play Act"; allows collegiate student-athletes to earn compensation for use of name, image, or likeness

S-2380/A-3999 (Sweeney, Scutari, Singer, Greenstein/Giblin, Burzichelli, Murphy, Downey) – Concerns employment benefits and coronavirus disease 2019 infections contracted by essential employees

S-2573/A-4378 (Ruiz, Codey/Karabinchak, Jasey, Lampitt) – Establishes position of State School Nurse Consultant in DOE to facilitate best practices in school nursing by advancing comprehensive school health services

SJR-79/AJR-167 (Greenstein, Gill/Vainieri Huttel, Tucker, Murphy) – Creates commission to study sexual assault, misconduct, and harassment by staff against inmates in State correctional facilities

A-2669/S-1198 (Mukherji/Pou, Oroho) – Concerning motor vehicle ancillary production products and service contracts

Governor Murphy absolute vetoed the following bill:

A-3965/S-2463 (Moen, Murphy, Mukherji/Greenstein, Cruz-Perez) – ABSOLUTE – Expands existing EDA loan program to include certain small producers and retailers of alcoholic beverages

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