

[First Reprint]

ASSEMBLY, No. 2360

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

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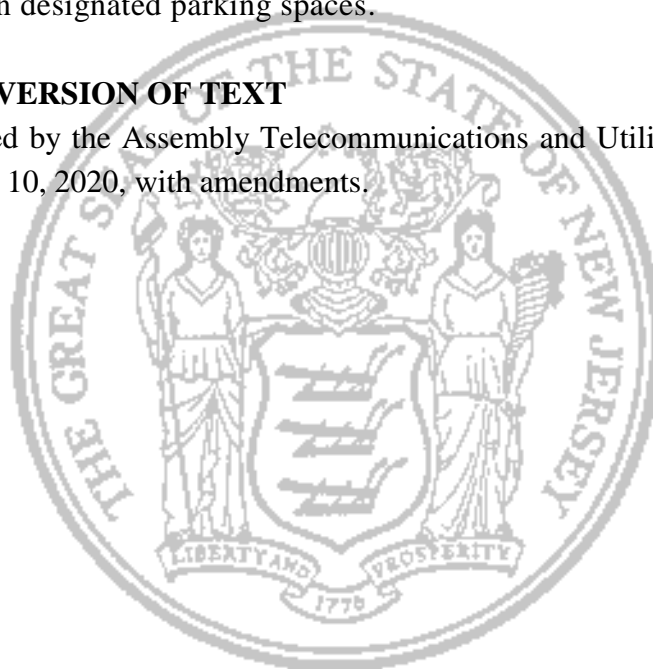
Assemblymen Bergen and Calabrese

SYNOPSIS

Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces.

CURRENT VERSION OF TEXT

As reported by the Assembly Telecommunications and Utilities Committee on December 10, 2020, with amendments.



(Sponsorship Updated As Of: 12/10/2020)

1 AN ACT concerning certain electric public utility service rates and
2 supplementing Title 48 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. As used in this section:

8 “Designated parking space” means a parking space that is
9 specifically designated for use by a ¹**[particular residential unit**
10 **owner]** resident of any premises intended for residential
11 occupancy¹, including, but not limited to, a garage ¹**[**, a deeded
12 parking space, and a **]** or other¹ parking space ¹**[in a limited**
13 **common element that is restricted for use by one or more residential**
14 **unit owners]** located at the resident’s premises or upon the premises
15 of the planned real estate development where the resident resides¹;

16 “Electric public utility” shall have the same meaning as provided
17 in section 3 of P.L.1999, c.23 (C.48:3-51);

18 “Electric vehicle charging station” means a station that is
19 designed in compliance with the State Uniform Construction Code,
20 adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that
21 delivers electricity from a source outside an electric vehicle into
22 one or more electric vehicles. An electric vehicle charging station
23 may include several charge points simultaneously connecting
24 several electric vehicles to the station and any related equipment
25 needed to facilitate charging plug-in electric vehicles;

26 “Planned real estate development” or “development” means any
27 real property situated within the State, whether contiguous or not,
28 which consists of or will consist of, separately owned areas,
29 irrespective of form, be it lots, parcels, units, or interest, which are
30 offered or disposed of pursuant to a common promotional plan, and
31 which provide for common or shared elements or interests in real
32 property, including, but not limited to, property subject to the
33 "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.), any form
34 of homeowners' association, housing cooperative, or community
35 trust or other trust device. “Planned real estate development” shall
36 not include or apply to any form of timesharing.

37 “Residential unit owner” means the owner of record of a
38 residential dwelling unit located within a planned real estate
39 development, or, in the case of a cooperative housing corporation, a
40 shareholder of record owning the shares appurtenant to an
41 individual residential dwelling unit. “Residential unit owner” shall
42 not mean the owner of a commercial unit, space, or interest located
43 within a planned real estate development.

44 b. Notwithstanding the provisions of any law, rule, regulation,
45 or order to the contrary, an electric public utility shall charge a

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:

¹Assembly ATU committee amendments adopted December 10, 2020.

1 residential rate for service delivered to ¹~~【a】~~ an electric public utility
2 residential¹ customer of record if the ¹residential¹ customer ¹~~【is a~~
3 ~~residential unit owner within a planned real estate development~~
4 ~~who】~~¹ uses an electric vehicle charging station at a designated
5 parking space ¹~~【within that development. That customer shall be~~
6 ~~prohibited from selling electricity in any capacity from the electric~~
7 ~~vehicle charging station at that designated parking space within that~~
8 ~~development】 located at the residential customer's premises or~~
9 ~~upon the premises of the planned real estate development where the~~
10 ~~resident resides.~~

11 c. Notwithstanding the provisions of any law, rule, regulation,
12 or order to the contrary, an electric public utility shall not charge
13 greater than a residential rate for service delivered to a planned real
14 estate development for the use of an electric vehicle charging
15 station which is located upon the premises of the planned real estate
16 development and is intended for the use of the planned real estate
17 development's residents. Notwithstanding the provisions of this
18 subsection, in the event that the planned real estate development has
19 a contract for the purchase of electricity from a party other than the
20 electric public utility serving the planned real estate development,
21 the electric public utility may charge the planned real estate
22 development the agreed upon rate¹.

23

24 2. This act shall take effect immediately, but shall remain
25 inoperative for 60 days following the date of enactment.