

[Second 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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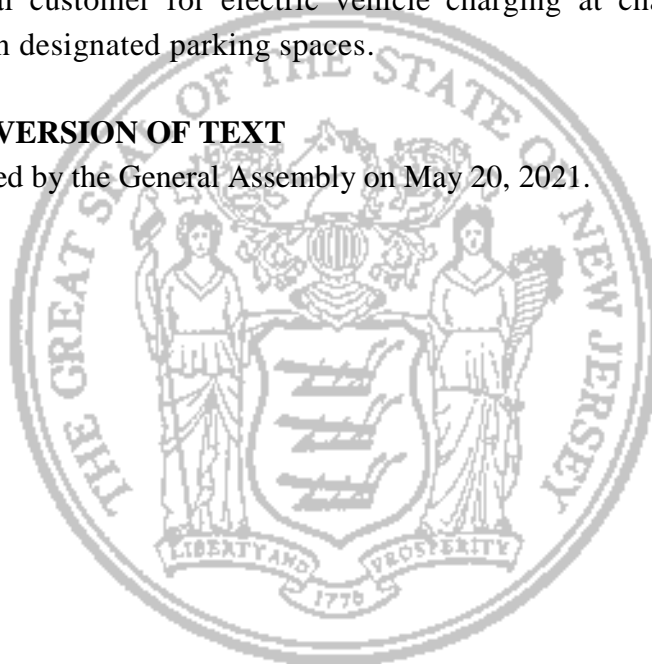
**Assemblymen Bergen, Calabrese, Assemblywomen Vainieri Huttle,
Downey and Assemblyman Houghtaling**

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 amended by the General Assembly on May 20, 2021.



(Sponsorship Updated As Of: 6/3/2021)

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 occupancy¹,
 11 including, but not limited to, a garage ¹**【**, a deeded parking space, and
 12 **a】** or other¹ parking space ¹【in a limited common element that is
 13 restricted for use by one or more residential unit owners】 located at the
 14 resident’s premises or upon the premises of the planned real estate
 15 development where the resident resides¹ ²and that is intended for a
 16 specific resident’s exclusive use²;

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

19 “Electric vehicle charging station” means a station that is
 20 ²**【designed】** installed² in compliance with the State Uniform
 21 Construction Code, adopted pursuant to P.L.1975, c.217 (C.52:27D-
 22 119 et seq.), that delivers electricity from a source outside an electric
 23 vehicle into one or more electric vehicles. An electric vehicle
 24 charging station may include several charge points simultaneously
 25 connecting several electric vehicles to the station and any related
 26 equipment needed to facilitate charging plug-in electric vehicles;

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

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

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.

²Assembly floor amendments adopted May 20, 2021.

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

12 c. Notwithstanding the provisions of any law, rule, regulation, or
13 order to the contrary, an electric public utility shall not charge greater
14 than a residential rate ², or greater than an equivalent electricity rate or
15 load management program that is offered by an electric public utility
16 specifically for residential electric vehicle charging,² for service
17 delivered to a planned real estate development for the use of an electric
18 vehicle charging station which is located upon the premises of the
19 planned real estate development and is intended for the use of ²[the] a
20 specific resident in² a planned real estate ²[development's residents]
21 development². Notwithstanding the provisions of this subsection, in
22 the event that the planned real estate development has a contract for
23 the purchase of electricity from a party other than the electric public
24 utility serving the planned real estate development, the electric public
25 utility may charge the planned real estate development the agreed upon
26 rate¹.

27 ²d. Nothing in subsection b of this section shall prevent a
28 development that has installed an electric vehicle charging station
29 from setting the price of the sale of electricity for the use of its electric
30 vehicle charging equipment provided as a service pursuant to section
31 10 of P.L.2019, c.362 (C.48:25-10).²

32
33 2. This act shall take effect immediately, but shall remain
34 inoperative for 60 days following the date of enactment.