



ELECTRIC VEHICLE (EV) CHARGING STATIONS

This edition of the Code Outreach Program focuses on some commonly asked questions related to EV charging stations and the circumstances where such EV charging stations are regulated under the Uniform Fire Prevention and Building Code (Uniform Code).

Executive Law §372(3) defines a “building” as “a combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals, or property.” The term “building” includes a “factory manufactured home” and “mobile home,” but does not include a “temporary greenhouse.”

Executive Law §377(2)(a) provides that the Uniform Code shall:

*Provide reasonably uniform standards and requirements for construction and construction materials for public and private **buildings**, including factory manufactured homes, consonant with accepted standards of engineering and fire prevention practices;*

Under the Uniform Code, EV charging stations are not currently required to be installed, but if EV charging stations are installed, then they must comply with certain requirements, including but not limited to the installation requirements of NFPA 70; see 2020 Building Code of New York State Section 406.2.7. Below is a partial list of locations where EV charging stations are or are not regulated under the Uniform Code. Please note this is not an exhaustive list and every situation must be carefully evaluated to determine if the EV charging station is regulated under the Uniform Code.

Note: The referenced information is not intended to supersede any other local laws, ordinances, or regulations. Being outside the scope of the Uniform Code does not exempt these structures from being regulated under other potential local laws, ordinances, or regulations. Code users should review all relevant local laws, ordinances, or other regulations that may be applicable, including any potential permitting requirements by the authority of having jurisdiction.

EV charging stations located in the following places **are** regulated under the Uniform Code:

- **Parking Garage** – An EV charging station within a parking garage is regulated because a parking garage is a “building” as defined in Executive Law §372(3).
- **Parking Lot/Driveway on a Building/Structure Premises** – An EV charging station that receives electrical service from a building or structure is regulated because a building or structure’s premises are subject to the Uniform Code pursuant to Executive Law §378(2).
- **Residential Garage** – An EV charging station within a residential garage (i.e. one- or two-family dwelling or townhouse) is regulated because such garage is a “building” as defined in Executive Law §372(3). See 2020 Residential Code of New York State Sections R327.12 and E3702.13.

EV charging stations located in the following places are not regulated under the Uniform Code:

- **Parking Lot not Associated with a Building or Structure** – An EV charging station located in a parking lot that has its utility service connection and associated electrical circuits independent from any building or structure.
- **Free Standing EV Charging Station** – An EV charging station not connected to the electrical system from a building or structure.