

A BILL

25-106

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Department of Transportation Establishment Act of 2002 to require applicants for certain permits to install EV charging ports to provide certain data to the District Department of Transportation and the Department of Energy and Environment and, subject to federal law, use companies eligible to become certified business enterprises for 35% of the installation and maintenance of the electric vehicle charging ports, to establish the Neighborhood Electric Vehicle Charging Pilot Program to increase electric vehicle charging infrastructure in communities across the District that lack access, and to require the implementation of a public education campaign to inform District residents and businesses about the availability and benefits of electric vehicle charging infrastructure and the benefits of electric vehicle adoption; to amend the District Department of the Environment Establishment Act of 2005 to require the Department of Energy and Environment to develop and make publicly accessible an Electric Vehicle Infrastructure Deployment and Management Plan to regularly assess the District’s readiness and capacity to support electric vehicle charging, to maximize utilization of electric vehicle charging ports to achieve a number of ports equal to at least 5% of District-registered vehicles by 2027, to require the establishment of electric vehicle charging port standards to ensure accessibility and interoperability to ensure charging reliability, and to establish the Electric Vehicle Charging Incentive Program; to amend the Green Building Act of 2006 to add definitions for “electric vehicle-installed” and “electric vehicle-ready” for dedicated parking spaces, to require that all new construction of single-family homes that include dedicated off-road parking in the permit include installation of at least one exterior electrical panel capacity and conduit during construction that can support electric vehicle charging and mark the space as electric vehicle-ready, to require newly-constructed or substantially improved commercial buildings or multi-unit buildings to include infrastructure to accommodate electric vehicle charging onsite, to permit and establish conditions to which a condo unit owner, co-op member or shareholder, and homeowner must agree in order to obtain approval for installation of electric vehicle charging ports in a condominium association, community association, or common interest development, and to permit tenants to request installation of electric vehicle charging ports, subject to compliance with a housing provider's requirements; to amend the Department of Buildings Establishment Act of 2020 to require applicants for certain permits to install EV charging stations to provide certain data to the District Department

42 of Transportation and the Department of Energy and Environment and, subject to federal
43 law, use companies eligible to become certified business enterprises for 35% of the
44 installation and maintenance of the electric vehicle charging ports; and to amend the
45 Retail Service Port Act of 1976 to require the installation of a direct current fast charging
46 electric vehicle charging port when a person constructing a new, or making improvements
47 equal to at least 50% of the value of an existing retail service station that is projected to
48 sell more than one million gallons of gasoline per year.

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50 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
51 act may be cited as the “Comprehensive Electric Vehicle Infrastructure Access, Readiness, and
52 Sustainability Amendment Act of 2024”.

53 Sec. 2. The Department of Transportation Establishment Act of 2002, effective May 21,
54 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended as follows:

55 (a) Section 5(a) (D.C. Official Code § 50-921.04(a)) is amended by adding a new
56 paragraph (3B) to read as follows:

57 “(3B)(A) DDOT shall not issue a public space permit for electric vehicle
58 charging infrastructure that, if approved, would result in that person having a permit for more
59 than 5 electric vehicle charging ports in the District cumulatively, unless the person has agreed
60 to:

61 “(i) Provide data to the Mayor for the purpose of preparing reports
62 required by section 109f of the District Department of the Environment Establishment Act of
63 2005, as approved by the Committee on Transportation and the Environment on July 12, 2024
64 (Committee Print of Bill 25-106); and

65 “(ii) Unless prohibited by Federal law or regulation, utilize
66 companies eligible to be certified as certified business enterprises, pursuant to part D of the

67 Small and Certified Business Enterprise Development and Assistance Act of 2005, effective
68 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.31 *et seq.*), for at least 35% of
69 the installation and maintenance of electric vehicle charging ports that the person installs or
70 maintains in the District for projects that receive funding from the District government, including
71 federal funding administered by the District government.

72 “(B) After determining that a permit is required under subparagraph (A),
73 or after issuing a permit under subparagraph (A) of this paragraph, if the Mayor determines that
74 there appears to be a violation of subparagraph (A) of this paragraph, the Mayor may:

75 “(i) Issue and enforce a stop work order; and

76 “(ii) Impose a fine not to exceed \$1,000 for each 14-day period in
77 which the applicant is in violation of subparagraph (A) of this paragraph.”.

78 (b) Section 9o (D.C. Official Code § 50-921.23) is amended to read as follows:

79 “Sec. 9o. Neighborhood Electric Vehicle Charging Infrastructure Pilot Program.

80 “(a) There is established a Neighborhood Electric Vehicle Charging Infrastructure Pilot
81 Program (“Pilot Program”), which shall be administered by DDOT.

82 “(b)(1) By September 30, 2026, DDOT shall install at least one electric vehicle charging
83 port, capable of delivering at least Level 1 charging capabilities, in publicly accessible areas of at
84 least 4 ANCs, such as on streetlight or camera poles, and distribution equipment, or in parking
85 lots that are licensed for public parking or owned by the District.

86 “(2) By January 1, 2026, DDOT shall publish on its website a list of locations for
87 the installation of the electric vehicle charging ports, as described in paragraph (1) of this

88 subsection, and a description of how such locations were chosen, and how DDOT prioritized
89 installations within:

90 “(A) Census tracts where a majority of residents have an income less than
91 60% of the area median income; and

92 “(B) Areas of the District that lack access to publicly accessible electric
93 vehicle charging ports within one mile or driving distance from an alternative fuel corridor exit
94 or intersection point.

95 “(3) The contract, grant, or other agreements for installation and maintenance of
96 the charging ports shall incorporate requirements to collect the data required in this Section for a
97 report that assesses the effectiveness of the Pilot Program.

98 “(4) By March 30, 2027, DDOT, in consultation with the Department of Energy
99 and Environment, shall publish on its website a report that assesses the effectiveness of the Pilot
100 Program, including the assessment of:

101 “(A) The technical features of the electric vehicle charging ports,
102 including charging port identifiers and the energy, in kilowatt-hours, dispensed to electric
103 vehicles per hour and per charging session;

104 “(B) The frequency of charging sessions occurring at the electric vehicle
105 charging ports, the times of peak demand, in kilowatts, and power used, in kilowatts hours, and
106 the average time each vehicle stayed plugged in and parked at the electric vehicle charging ports;

107 “(C) The percentage of time that the electric vehicle charging ports were
108 operational and available for use, whether any instances of software or hardware equipment

109 failures or periods of maintenance and repair resulted in downtime, and whether data was
110 available to predict when maintenance or software upgrades were needed to minimize downtime;

111 “(D) Whether delays in the timely fulfillment of requests for energization
112 by electrical companies, including new service connections and service upgrades, have affected
113 the effectiveness of the Pilot Program;

114 “(E) Maintenance and repair cost per electric vehicle charging port and
115 whether the maintenance and repair was completed by a qualified electrician with Electric
116 Vehicle Infrastructure Training Program certification;

117 “(F) A description of obstacles or challenges with supporting hardware or
118 software based on the location of electric vehicle charging ports;

119 “(G) Other factors and data that DOEE may specify; and

120 “(H) Recommendations regarding:

121 (i) Whether to continue grants, contracts, or other agreements for
122 the installation of electric vehicle charging port entered into pursuant to paragraph (1) of this
123 subsection;

124 (ii) Improving access to electric vehicle charging ports;

125 (iii) Additional locations where electric vehicle charging port
126 should be installed;

127 (iv) The level of power the electric vehicle charging ports should
128 provide; and

129 (v) Other policies or programs that
130 could encourage the use of electric vehicles and electric vehicle
131 charging infrastructure.

132 “(c) Beginning January 1, 2026, DDOT shall publish on its website the number of electric
133 vehicles registered in the District and a map identifying the location of all publicly accessible
134 and operating electric vehicle charging ports currently available to charge electric vehicles in the
135 District, including by ward and ANC. DDOT shall update the map, at a minimum, on a quarterly
136 basis.

137 “(d) For the purposes of this section, the term:

138 “(1) “ANC” means an Advisory Neighborhood Commission.

139 “(2) “Area median income” shall have the same meaning as provided in section
140 2(1)(A) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law
141 7-202; D.C. Official Code § 42–2801(1)(A)).

142 “(3) “Level 1 charging” means electric vehicle service equipment that provides
143 charging through a 120-volt AC outlet with a connector that meets the NEMA 5-15 or SAE
144 international J1772 standard or a successor standard.”.

145 Sec. 3 The District Department of the Environment Establishment Act of 2005, effective
146 February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended by
147 adding new sections 109f, 109g, and 109h to read as follows:

148 “Sec. 109f. Report on electric vehicle infrastructure deployment and management.

149 “On January 1 of 2026, 2029, and 2032, DOEE shall make publicly available on its
150 website an Electric Vehicle Infrastructure Deployment and Management Plan that shall include:

151 “(1) The number and percent of vehicles registered in the District that are electric
152 vehicles as of the date of the report, and DOEE’s 10-year forecast of the number and percent of
153 vehicles in the District that will be electric vehicles;

154 “(2) DOEE’s plan to ensure that each year within the 10-year forecast described in
155 paragraph (1) of this subsection, the number of electric vehicle charging ports in the District is
156 equal to at least 5% of the number of electric vehicles DOEE forecasts will be registered in the
157 District, or a description of how DOEE’s plan for electric vehicle charging infrastructure will
158 create enough charging capacity to meet the demand in each of the 10 years of the forecast;

159 “(3) A description of the charging speed and capacity of electric vehicle charging
160 infrastructure available in the District at the time of the report and DOEE’s 10-year forecast of
161 the speed and capacity of the electric vehicle charging infrastructure that will be available in the
162 District;

163 “(4) An updated assessment of the District’s electric grid capacity and whether the
164 electric grid capacity can meet and sustain the demand for electric vehicles, based on DOEE’s
165 10-year forecast described in paragraph (1) of this subsection, and a description of any additional
166 data that DOEE had been previously unable to access to fully assess the electric grid’s capacity;

167 “(5) A description of geographic gaps in the current and foreseeable locations of
168 electric vehicle charging infrastructure;

169 “(6) A list of EV equity emphasis areas that identifies census tracts in the District
170 where a majority of the population has incomes of 60% of area median income, as that term is
171 defined in ~~in~~ section 2(1)(A) of the Housing Production Trust Fund Act of 1988, effective March
172 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42–2801(1)(A)), or less and where DOEE has
173 determined that there is not sufficient publicly accessible charging infrastructure;

174 “(7) Identification of the proposed locations of electric vehicle charging
175 infrastructure, which shall include a description of how the proposed locations address
176 geographic gaps identified in the report and ensure access for electric vehicle owners living in
177 EV equity emphasis areas identified in the report;

178 “(8) A description of the current process and average timelines for electrical
179 companies to fulfill service requests for energization of electric vehicle charging infrastructure,
180 including new service connections and service upgrades; and

181 “(9) Recommendations for legislative or regulatory action to create standards for
182 electric vehicle charging infrastructure that provides for charging reliability in the District,
183 including in the following areas:

184 “(A) Accessible payment options;

185 “(B) Types of charging connectors;

186 “(C) Permitting requirements for residential and commercial installations;

187 “(D) Recommended distance between charging infrastructure in publicly
188 accessible locations;

189 “(E) Consumer protections and cybersecurity; and

190 “(F) Sustainability requirements for materials used.

191 “Sec. 109g. Electric vehicle charging incentive program.

192 “(a) By January 2026, DOEE shall establish an Electric Vehicle Charging Incentive
193 Program (“Program”) to provide assistance, including incentives for the operation, installation,
194 or upgrade of, or to assess the need for, electric vehicle charging infrastructure located in the
195 District.

196 “(b) DOEE may work with the electric company, as that term is defined in section 8(1) of
197 An Act Making appropriations to provide for the expenses of the government of the District of
198 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
199 purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207), to develop
200 assistance offered by the Program; provided, that any ratepayer-funded assistance offered by the
201 electric company under the Program shall be approved by the Public Service Commission.

202 “(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
203 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
204 rules to implement the provisions of this section. The proposed rules shall be submitted to the
205 Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of
206 Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in
207 part, by resolution within the 45-day review period, the proposed rules shall be deemed approved.

208 “Sec. 109h. Public awareness campaign regarding electric vehicle adoption and electric
209 vehicle charging infrastructure availability.

210 “(a) No later than March 30, 2027, the Mayor shall establish a campaign to raise
211 awareness and educate District residents about electric vehicles, including how they will help the
212 District achieve its climate action goals and the availability of electric vehicle charging
213 infrastructure.

214 “(b) The campaign required by subsection (a) of this section shall describe:

215 “(1) The benefits of electric vehicles and how widespread adoption will help the
216 District improve environmental and health impacts caused by internal combustion engines;

217 “(2) The incentives and tax credits available to residents and businesses to
218 purchase electric vehicles and to install electric vehicle charging infrastructure; and

219 “(3) The availability of electric vehicle charging ports across the District and how
220 equity is incorporated into the planning and deployment of electric vehicle charging
221 infrastructure.

222 “(c) The campaign required by subsection (a) of this section shall remain in effect for not
223 less than 2 years from the date the campaign is established.”.

224 Sec. 4. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C.
225 Official Code § 6-1451.01 *et seq.*), is amended as follows:

226 (a) Section 2 (D.C. Official Code § 6-1451.01) is amended by adding new paragraphs
227 (11C) and (11D) to read as follows:

228 “(11C) “Electric vehicle installed” means a designated parking space which is
229 provided with service from a dedicated branch circuit that is 120-volt or greater assigned for
230 electric vehicle supply equipment terminating in a receptacle or junction box located in close

231 proximity to the location of the EV parking space, in compliance with the current DC Electrical
232 Code.

233 “(11D) “Electric vehicle ready” means a designated parking space with electrical
234 panel capacity and space for a circuit dedicated to allow service to the EV parking space that is
235 120-volt or greater and equipped with raceways either underground or surface mounted, to
236 enable the future installation of electric vehicle supply equipment, in compliance with the current
237 DC Electrical Code.”.

238 (b) Section 4a (D.C. Official Code § 6–1451.03a) is amended as follows:

239 (1) The section heading is amended by striking the phrase “Electric vehicle
240 make-ready” and inserting the phrase “Electric vehicle ready” in its place.

241 (2) Subsection (a) is amended by striking the phrase “electric vehicle make-
242 ready” and inserting the phrase “electric vehicle ready” in its place.

243 (3) Subsection (b) is amended as follows:

244 (A) The lead-in language is amended by striking the phrase “this section”
245 and inserting the phrase “subsections (a) and (c) of this section” in its place.

246 (B) Paragraph (1) is amended by striking the phrase “electric vehicle
247 make-ready” and inserting the phrase “electric vehicle ready” in its place.

248 (4) Subsection (c) is amended by striking the phrase “electric vehicle make-
249 ready” and inserting the phrase “electric vehicle ready” in its place.

250 (5) A new subsection (d) is added to read as follows:

251 “(d)(1) For building permits issued after January 1, 2027, all new construction or
252 substantial improvement of commercial buildings and multi-unit buildings that have 6 or more
253 automobile off-road parking spaces shall include infrastructure to accommodate electric vehicle
254 charging onsite based on the following requirements:

255 “(A) For commercial buildings, at least 15% of parking spaces shall be
256 electric vehicle installed, and 25% of parking spaces shall be electric vehicle ready; and

257 “(B) For multi-unit buildings, at least 25% of the parking spaces shall be
258 electric vehicle ready.

259 “(2) For building permits issued after January 1, 2031, all new construction or
260 substantial improvement of multi-unit buildings that have 6 or more automobile off-road parking
261 spaces, at least 29% of the parking spaces shall be electric vehicle ready.

262 “(3) For building permits issued after January 1, 2034, all new construction or
263 substantial improvement of multi-unit buildings that have 6 or more automobile off-road parking
264 spaces, at least 33% of the parking spaces shall be electric vehicle ready.

265 “(4) A visible label stating “EV-READY” shall be posted in a conspicuous place
266 at both the service panel and the circuit termination point at parking spaces that are required to
267 be electric vehicle ready under this subsection.”.

268 (c) New sections 4b, 4c, and 4d are added to read as follows:

269 “Sec. 4b. Electric vehicle ready parking spaces in new single-family homes.

270 “(a)(1) Except as provided in paragraph (2) of this subsection, for building permits issued
271 after January 1, 2025, all new construction or substantial improvement of single-family homes

272 that include dedicated off-road parking in the permit shall include installation of electrical panel
273 capacity and conduit during construction to support implementation of at least Level 1 electric
274 vehicle charging at 120-volts or greater, that the Department of Buildings determines is
275 accessible at the automobile off-road parking space; provided, that the conduit installed pursuant
276 to this paragraph may be capped for future installation.

277 “(b) Each electric vehicle ready space installed pursuant to subsection (a) of this section
278 shall include a visible label stating “EV-READY” posted in a conspicuous place at ~~both~~ either
279 the service panel ~~and~~ or the circuit termination point.

280 “(c) The builder or builder’s agent shall give to each buyer, prospective buyer, or
281 homeowner the following:

282 “(1) Notice of the requirement in subsection (a) of this section; and

283 “(2) Specific information about any available grant or incentive programs
284 related to the purchase or installation of an electric vehicle charging port.

285 “(d) The buyer, prospective buyer, or homeowner shall provide a physical or electronic
286 signature indicating that the buyer, prospective buyer, or homeowner, respectively, has received
287 the notice and information listed in subsection (c) of this section.

288 “Sec. 4c. Electric vehicle charging port rights for condominium associations, community
289 associations, or other common interest developments.

290 “(a)(1) A condominium association, community association, or other common interest
291 development shall allow the installation and repair, at the unit owner’s expense for the unit
292 owner’s own use, of an electric vehicle charging port on or within the property only in a deeded

293 parking space or a parking space that is specifically designated for use by a particular unit owner;
294 except, that the condominium association, community association, or other common interest
295 development may require that the unit owner:

296 “(A) Complies with:

297 “(i) Bona fide safety requirements consistent with applicable
298 building codes or recognized health and safety standards for the protection of persons and
299 property;

300 “(ii) Requirement that the electric vehicle charging infrastructure
301 be registered with the condominium association, community association, or other common
302 interest development within 30 days after installation;

303 “(iii) Reasonable architectural standards provisions that govern the
304 dimensions, placement, or external appearance of an electric vehicle charging port and related
305 wiring and signage; or

306 “(iv) Prohibitions on the licensing, sub-licensing, rental, or sublet
307 of a parking space with an electric vehicle charging port installed by an owner;

308 “(B) As a condition of the condominium association, community
309 association, or other common interest development approving the installation of an electric
310 vehicle charging station, agrees to:

311 “(i) Provide detailed plans and drawings for the installation of the
312 electric vehicle charging port, prepared and stamped or sealed by either a licensed and registered

313 architect, professional engineer, or an electrical engineer familiar with the installation and core
314 requirements of an electric vehicle charging port;

315 “(ii) Engage the services of either a licensed and registered journey
316 electrician, master electrician, or an electrical engineer familiar with the installation and core
317 requirements of an electric vehicle charging port for the installation, maintenance, and removal
318 of the electric vehicle charging port; and

319 “(iii) Be responsible for all costs associated with the installation
320 and use of the electric vehicle charging port, including:

321 “(I) The actual cost of electricity associated with the
322 charging port; and

323 “(II) The cost of damages to common elements subject to
324 the exclusive use of the other unit owners, members, shareholders, or homeowners that results
325 from the installation, use, maintenance, repair, removal, or replacement of the electric vehicle
326 charging port;

327 “(C) If an electric vehicle charging port is to be placed in a common
328 element or exclusive use common element, as designated by the condominium association,
329 community association, or other common interest development:

330 “(i) First obtain written approval from the condominium
331 association, community association, or other common interest development to install the electric
332 vehicle charging port;

333 “(ii) Agree to the reasonable reimbursement of electricity usage; or

334 “(iii) Agree in writing to:

335 “(I) Comply with the condominium association, community
336 association, or other common interest development’s architectural standards for the installation
337 of the electric vehicle charging port by submitting the appropriate design plan or other technical
338 documentation prepared and stamped or sealed by a registered architect, professional engineer, or
339 electrical engineer;

340 “(II) Engage a duly licensed and registered journeyman
341 electrician, master electrician, or electrical engineer familiar with the installation and code
342 requirements of an electric vehicle charging port;

343 “(III) Provide a certificate of insurance that names the
344 condominium association, community association, or other common interest development as an
345 additional insured party under the unit owner’s insurance policy;

346 “(IV) Pay for both the costs associated with the installation
347 of and the electricity usage associated with the electric vehicle charging port; and

348 “(V) Provide a certificate of insurance naming the
349 condominium association, community association, or other common interest development as an
350 additional insured or shall reimburse the association for the cost of an increased premium
351 attributable to the electric vehicle charging port;

352 “(D) Remove an electric vehicle charging port and restore the premises to
353 the condition before the installation of the electric vehicle charging port before the unit owner
354 may transfer ownership of the premises, unless the prospective buyer of the premises accepts

355 ownership, in writing, of the electric vehicle charging port and all the rights and responsibilities
356 associated with ownership under this section; and

357 “(E) After the installation of the electric vehicle charging port, that the unit
358 owner, and each successive unit owner of the electric vehicle charging port, be responsible for:

359 “(i) Costs for the maintenance, repair, and replacement of the
360 electric vehicle charging port until it has been removed and for the restoration of the common
361 area after removal;

362 “(ii) Disclosing to prospective buyers the existence of **any**
363 charging port of the owner and the related responsibilities of the owner under this section;

364 “(iii) Disclosure to prospective buyers whether the electric vehicle
365 charging port is removable and **any** intent to remove the port in order to install it at their new
366 place of residence;

367 “(iv) Costs for damage to the electric vehicle charging port,
368 common area, limited common area, or separate interests resulting from the installation,
369 maintenance, repair, removal, or replacement of the charging port; and

370 “(v) Cost of electricity associated with the electric vehicle charging
371 port, including a requirement to connect the electric vehicle charging port to their own electricity
372 utility account unless the licensed contractor performing the installation deems that to be
373 impossible, in which case, the condominium association, community association, or other
374 common interest development shall connect the electric vehicle charging port to the common

375 electricity account but may require reasonable reimbursement to the condominium association,
376 community association, or other common interest development for the electricity usage.

377 “(2) A recorded or unrecorded covenant, restriction, or condition contained in a
378 deed, contract, security interest, or other instrument affecting the transfer or sale of interest in a
379 condominium association, community association, or other common interest development, and a
380 provision of a governing document that effectively prohibits or unreasonably restricts the
381 installation or use of an electric vehicle charging port within a unit owner's unit or a designated
382 parking space, or is in conflict with this section, shall be void and unenforceable.

383 “(b) A condominium association, community association, or other common interest
384 developments shall enact processes or procedures for the installation, operation, maintenance,
385 and removal of an electric vehicle charging port.

386 “(c)(1) If approval by the condominium association, community association, or other
387 common interest development is required for the installation, repair, or use of an electric vehicle
388 charging port, the condominium association, community association, or other common interest
389 development shall process and approve the application in the same manner as an application for
390 approval of an architectural modification to the property, and the condominium association,
391 community association, or other common interest development shall not unreasonably avoid or
392 delay the adjudication of the application.

393 “(2) The approval or denial of an application under this section shall be in writing.

394 “(3) If an application is not approved or denied in writing within 60 days after the
395 date of the receipt of the application, the application shall be deemed approved unless the delay
396 is the result of a reasonable request for additional information or exigent circumstances.

397 “(d) A condominium association, community association, or other common interest
398 development may reject a unit owner’s application if the unit owner fails to meet requirements
399 set forth in guidelines consistent with this section for the installation of an electric vehicle
400 charging port; except, that the condominium association, community association, or other
401 common interest development shall allow the unit owner to cure defects in the application or
402 required documentation and resubmit the application for approval.

403 “(e) The condominium association, community association, or other common interest
404 development shall not assess or charge the owner fees for the placement of any electric vehicle
405 charging port except for a reasonable fees for processing the application that is consistent with
406 those assessed or charged for applications for approval of architectural modifications.

407 “(f) A condominium association, community association, or other common interest
408 development may install an electric vehicle charging port in the common element for the use of
409 all unit owners and members of the association, in which case, the condominium association,
410 community association, or other common interest development shall develop appropriate terms
411 of use for the electric vehicle charging port, including the cost of electricity associated with
412 individual use by unit owners.

413 “(g) A condominium association, community association, or other common interest
414 development shall be responsible for the costs of removing an electric vehicle charging port that

415 is in the common element and available for use by all unit owners, if reasonably necessary for
416 the repair, maintenance, or replacement of property of the association or of separate interests
417 initiated by the association.

418 “(h) A condominium association, community association, or other common interest
419 development may create a new parking space, consistent with applicable building permitting
420 requirements, where one did not previously exist to facilitate the installation of an electric
421 vehicle charging port.

422 “(i) DOB shall fine a condominium association, community association, or other
423 common interest development that willfully violates this section an amount not to exceed \$1,000
424 for each 60-day period that the reported violation is not brought into compliance with this
425 section. A condominium association, community association, or other common interest
426 development may appeal an enforcement action taken pursuant to this section to the Office of
427 Administrative Hearings.

428 “Sec. 4d. Electric vehicle charging rights for tenants.

429 “(a) Notwithstanding a provision in the lease to the contrary, a housing provider shall
430 allow a tenant to install, at the tenant's expense for the tenant's own use, an electric vehicle
431 charging port on or in the leased premises; provided, that the tenant first obtains the written
432 approval of the housing provider, who may require that the tenant:

433 “(1) Complies with any:

434 “(A) Bona fide safety requirements consistent with an applicable
435 construction code or recognized health and safety standards for the protection of persons and
436 property;

437 “(B) Requirement that the electric vehicle charging port be registered with
438 the housing provider within 30 days after installation;

439 “(C) Reasonable aesthetic provisions that govern the dimensions,
440 placement, or external appearance of an electric vehicle charging port; or

441 “(D) Prohibitions on the rental or sublet of a parking space with an electric
442 vehicle charging port installed by a tenant.

443 “(2) As a condition of approving the installation of an electric vehicle charging
444 port, agrees to:

445 “(A) Comply with the housing provider's design specifications for the
446 installation of an electric vehicle charging port, and provide detailed plans and drawings for the
447 installation of the electric vehicle charging port, prepared and stamped or sealed, by either a
448 licensed and registered architect, professional engineer, or an electrical engineer familiar with the
449 installation and core requirements of an electric vehicle charging port;

450 “(B) Engage the services of a licensed and registered journeyman
451 electrician, a master electrician, or an electrical engineer familiar with the installation and core
452 requirements of an electric vehicle charging port for the installation, maintenance, and removal
453 of the electric vehicle charging port; and

454 “(C) Provide, within 14 days after receiving the housing provider's written
455 approval for the installation of the electric vehicle charging port;

456 (i) A certificate of insurance naming the housing provider as an
457 additional insured party on the tenant's insurance policy for any claim related to the installation,
458 maintenance, or use of the electric vehicle charging port; or

459 (ii) Reimbursement to the housing provider for the actual cost of
460 any increased insurance premium amount attributable to the electric vehicle charging port, in
461 which case the tenant shall provide reimbursement for the increased insurance premium amount
462 within 14 days after the tenant receives the housing provider's invoice for the amount attributable
463 to the electric vehicle charging port.

464 “(b) A housing provider shall enact processes or procedures for the installation, operation,
465 maintenance, and removal of an electric vehicle charging port.

466 (c) A housing provider shall not assess or charge a tenant any fee for the placement or use
467 of an electric vehicle charging port under this section, except that the housing provider may:

468 “(1) Require reimbursement for the actual cost of electricity provided by the
469 housing provider that was used by the electric vehicle charging port, as determined by the
470 housing provider on a monthly basis; or

471 “(2) If the tenant places an electric vehicle charging port in an area accessible to
472 other tenants, charge the tenant a reasonable fee to reserve a specific parking space in which to
473 install the electric vehicle charging port.

474 “(d) A housing provider may reject a tenant’s application if the tenant fails to meet
475 requirements set forth in the terms of the lease or agreement for the installation of an electric
476 vehicle charging port; except, that the housing provider shall allow the tenant to cure defects in
477 the application or required documentation and resubmit the application for approval.

478 “(e) If the housing provider consents to a tenant's installation of an electric vehicle
479 charging port on property accessible to other tenants, unless otherwise specified in a written
480 agreement with the housing provider, the housing provider may require that:

481 “(1) The tenant, and each successive tenant with exclusive rights to the area where
482 the electric vehicle charging port is installed, shall be responsible for the actual cost of electricity
483 associated with the charging port, as determined by readings taken by the housing provider on a
484 monthly basis, and, when incurred, costs for damages to the electric vehicle charging port to any
485 other property of the housing provider or another tenant resulting from the installation,
486 maintenance, repair, removal, or replacement of the electric vehicle charging port;

487 “(2) Each successive tenant with exclusive rights to the area where the electric
488 vehicle charging port is installed shall assume responsibility for the repair, maintenance,
489 removal, and replacement of the electric vehicle charging port until the electric vehicle charging
490 port is removed; or

491 “(3) The tenant, and each successive tenant with exclusive rights to the area where
492 the electric vehicle charging port is installed, shall, at all times, have and maintain, until the
493 tenant forfeits possession of the dwelling, an insurance policy covering damage or injury
494 resulting from the installation or use of electric vehicle charging infrastructure installed pursuant

495 to this section, and shall name the housing provider as an additional insured party under the
496 policy. The tenant shall be responsible for providing proof of insurance policy coverage to the
497 housing provider on an annual basis.

498 “(f) Upon termination of the lease, the tenant shall either remove the electric vehicle
499 charging port if it is removable, sell ~~it~~ the electric vehicle charging port to the housing provider
500 for an agreed price, or transfer ownership without sale of the electric vehicle charging port to the
501 housing provider or another tenant.

502 “(g) A housing provider may install an electric vehicle charging port in automobile off-
503 road parking spaces for the use of all tenants, in which case, the housing provider shall develop
504 appropriate terms of use for the electric vehicle charging port, including the actual cost of
505 electricity associated with individual use by tenants.

506 “(h) A housing provider may create a new parking space, consistent with applicable
507 building permitting requirements, where one did not previously exist to facilitate the installation
508 of an electric vehicle charging port in compliance with all applicable laws.

509 “(i) A housing provider shall be responsible for the costs of removing an electric vehicle
510 charging port that is in automobile off-road parking spaces available for use by all tenants, if
511 reasonably necessary for the repair, maintenance, or replacement of any property of the housing
512 provider.

513 “(j) DOB shall fine a housing provider that willfully violates this section shall be fined an
514 amount not to exceed \$1,000 for each 30-day period that the reported violation is not brought
515 into compliance with this section. A housing provider may appeal an enforcement action under

516 this section to the Office of Administrative Hearings (“OAH”). A housing provider may appeal a
517 decision from OAH to the Rental Housing Commission pursuant to section 202(a)(2) of the
518 Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42–
519 3502.02(a)(2)).”.

520 Sec. 5. Section 107(a) of the Department of Buildings Establishment Act of 2020,
521 effective April 5, 2021 (D.C. Law 23-269; D.C. Official Code § 10-561.07(a)), is amended by
522 adding a new paragraph (3A) to read as follows:

523 “(3A)(A) The Permitting Operations Division of the Office of Construction and
524 Building Standards shall not issue a permit for electric vehicle charging infrastructure that, if
525 approved, would result in that applicant having a permit for more than 5 electric vehicle charging
526 ports in the District cumulatively, unless the applicant has agreed to:

527 “(i) Provide data to the District Department of Transportation and
528 the Department of Energy and Environment that is requested for the purpose of preparing reports
529 required by section 109f of the District Department of the Environment Establishment Act of
530 2005, as approved by the Committee on Transportation and the Environment on July 12, 2024
531 (Committee Print of Bill 25-106); and

532 “(ii) Unless prohibited by Federal law or regulation, utilize
533 companies eligible to be certified as certified business enterprises, pursuant to part D of the
534 Small and Certified Business Enterprise Development and Assistance Act of 2005, effective
535 October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2–218.31 *et seq.*), for at least 35% of
536 the installation and maintenance of electric vehicle charging ports that the applicant installs and

537 maintains in the District for projects that receive funding from the District government, including
538 federal funding administered by the District government.

539 “(B) If the Department determines that an applicant subject to
540 subparagraph (A) of this paragraph is in violation of subparagraph (A) of this paragraph, the
541 Department may:

542 “(i) Issue a stop work order if the work has not yet been
543 completed; and

544 “(ii) Impose a fine not to exceed \$1,000 for each 14-day period in
545 which the applicant is in violation of subparagraph (A) of this paragraph.”.

546 Sec. 6. Section 3-102 of the Retail Service Station Act of 1976, effective April 19, 1977
547 (D.C. Law 1-123, D.C. Official Code § 36-302.02), is amended by adding a new subsection (d)
548 to read as follows:

549 “(d) Beginning October 1, 2025, a person constructing a new, or making improvements
550 equal to at least 50% of the value of the real property of an existing retail service station that is
551 projected to sell more than one million gallons of gasoline per year, shall install one electric
552 vehicle charging station capable of providing at least 150 kW direct-current fast charging, for at
553 least 2 vehicles simultaneously, for each gasoline dispensing pump operated by the retail service
554 station.”.

555 Sec. 7. Applicability

556 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved
557 budget and financial plan.

558 (b) The Chief Financial Officer shall certify the date of inclusion of the fiscal effect in an
559 approved budget and financial plan, and provide notice to the Budget Director of the Council of
560 the certification.

561 (c)(1) The Budget Director shall cause the notice of the certification to be published in
562 the District of Columbia Register.

563 (2) The date of publication of the notice of the certification shall not affect the
564 applicability of this act.

565 Sec. 8. Fiscal impact statement.

566 The Council adopts the fiscal impact statement in the committee report as the fiscal
567 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
568 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

569 Sec. 9. Effective date.

570 This act shall take effect following approval by the Mayor (or in the event of veto by the
571 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
572 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
573 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).