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HOUSE BILL 88

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Dayan Hochman-Vigil

AN ACT

RELATING TO ZONING; ENACTING THE ELECTRIC VEHICLE CHARGING  
STATION ZONING ACT; ESTABLISHING STANDARDS FOR PERMITTING  
ELECTRIC VEHICLE CHARGING STATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
cited as the "Electric Vehicle Charging Station Zoning Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
Electric Vehicle Charging Station Zoning Act:

A. "electric vehicle" means a motor vehicle that  
derives power from electricity stored in a battery that is  
capable of being recharged from an external source of  
electricity;

B. "electric vehicle charging station" means a  
facility that utilizes electric vehicle supply equipment to

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1 transfer electricity at any level to an electric vehicle from  
2 an external source; and

3 C. "electric vehicle supply equipment" means  
4 conductors, including ungrounded, grounded and equipment  
5 grounding conductors, electric vehicle connectors, attachment  
6 plugs, transformers, switchgear and fittings, power outlets and  
7 other equipment installed specifically for the purpose of  
8 transferring electricity to an electric vehicle from an  
9 external source.

10 SECTION 3. [NEW MATERIAL] PERMITTED USE DESIGNATION.--The  
11 installation of electric vehicle charging stations shall be  
12 considered a permitted use and a permitted accessory use in  
13 county and municipal zoning districts and shall not require a  
14 use variance.

15 SECTION 4. [NEW MATERIAL] EXPEDITED PERMITTING  
16 PROCESS.--

17 A. County and municipal zoning authorities shall  
18 develop an expedited administrative process for the review and  
19 approval of applications for permits to install electric  
20 vehicle charging stations.

21 B. Applications for permits to install electric  
22 vehicle charging stations shall be only subject to  
23 administrative review without a public hearing. The review of  
24 applications shall be limited to determining compliance with  
25 applicable codes adopted by the construction industries

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1 commission pursuant to Section 60-13-44 NMSA 1978. The review  
2 of applications shall not consider non-code compliance issues  
3 including setbacks, signage, screening, aesthetics and parking  
4 impacts.

5 C. County and municipal zoning authorities shall  
6 not impose restrictions on the installation of electric vehicle  
7 charging stations other than those that ensure compliance with  
8 applicable codes adopted by the construction industries  
9 commission pursuant to Section 60-13-44 NMSA 1978.

10 D. Applications for permits to install electric  
11 vehicle charging stations shall be deemed approved within  
12 thirty business days of submission of the application being  
13 deemed complete unless denied in writing by a county or  
14 municipal zoning authority.

15 SECTION 5. [NEW MATERIAL] PARKING SPACE DESIGNATION.--

16 A. A parking space utilized as an electric vehicle  
17 charging station shall be counted as at least one standard  
18 parking space for the purpose of complying with applicable  
19 minimum parking requirements.

20 B. A parking space utilized as an electric vehicle  
21 charging station that is designed to meet disability  
22 accessibility standards shall be counted as two standard  
23 parking spaces for purposes of complying with applicable  
24 minimum parking requirements.

25 SECTION 6. [NEW MATERIAL] PERMIT APPLICATION CRITERIA.--

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1 County and municipal zoning authorities shall provide a  
2 checklist of all requirements necessary for a complete  
3 application for a permit for the installation of an electric  
4 vehicle charging station. If a permit application is deemed  
5 incomplete, an applicant shall be informed in writing within  
6 fifteen days of submission of a permit application and provided  
7 with a clear explanation of any missing documentation or  
8 required corrections. If the explanation required by this  
9 section is not received by the applicant within fifteen days of  
10 submission, the application shall be deemed complete as of the  
11 sixteenth day.

12 SECTION 7. EFFECTIVE DATE.--The effective date of the  
13 provisions of this act is July 1, 2025.

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