

Scott Dunlop

From: Veronica Rivera <vrivera@cityattorneytexas.com>
Sent: Thursday, January 14, 2021 12:13 PM
To: Scott Dunlop
Cc: Paige Saenz
Subject: RE: Electric vehicle charging station requirements

Scott,

Alec in our office researched your question and did not find any state regulations that would prevent cities from requiring a percentage of parking spaces be charging stations. If the City would like to adopt an ordinance, we recommend proceeding with caution or with the understanding that this is an area that is still not regulated by state or federal statutes. In the future, regulations may be adopted and the City would need to comply with any future state or federal statutes. Below is the response from Alec, which contains additional information that maybe useful to you. Please let us know if you need anything else on this item. - Veronica

I haven't found anything that would prevent a City from requiring a certain amount of off-street parking to be equipped with EV Charging Stations. I had hoped to find explicit authorization or at least another City doing something similar, but was only able to find a few cities like Georgetown that have passed ordinances preventing gas vehicles from using EV spots. The only references to the issue in the Local Government Code concern the powers of municipal parking authorities, and the other statutory references to parking or building codes mostly concern special use/municipal management districts, or accessibility concerns.

I also found this [report](#) from the City of Austin that mentioned the need to implement codes to support EV infrastructure – I would think if there were a problem with that from a state law perspective, it would be mentioned there. There are a few similar reports from UT and others that didn't mention any restrictions either. My sense is that this is fairly unregulated.

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From: Scott Dunlop <sdunlop@cityofmanor.org>
Sent: Tuesday, January 12, 2021 1:57 PM
To: Veronica Rivera <vrivera@cityattorneytexas.com>
Subject: Electric vehicle charging station requirements

Veronica,

Is there any State law the prevents cities from requiring a percentage of off-street parking spaces to have charging stations?

Example code from a city in Washington:

<https://www.codepublishing.com/WA/MountlakeTerrace/html/MountlakeTerrace19/MountlakeTerrace19126.html>

Thanks,

Scott Dunlop, AICP

Development Services Assistant Director



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