

# ELECTRIC VEHICLE CHARGING REQUIREMENTS FOR RESIDENTIAL CONSTRUCTION



Public Act 103-0053, also known as the Electric Vehicle (EV) Charging Act, requires newly constructed single-family homes and multifamily residential buildings with dedicated parking to install EV-capable parking spaces. The Act is effective January 1, 2024, and applies to home rule and non-home rule communities.

## RESIDENTIAL EV CHARGING REQUIREMENTS

Any new single-family residence or small multifamily residence must have at least one EV-capable parking space for every residential unit that has dedicated parking. A small multifamily residence is defined as a building that accommodates two to four families.

Building permits must require newly constructed large multifamily residential buildings and existing large multifamily residential buildings, that are being converted to an association, to have 100% of their total parking spaces EV-capable, unless they qualify as affordable housing developments. The Act does not apply if a developer converting a large multifamily property to an association must excavate an existing surface lot or other parking facility in order to retro-fit the lot with the necessary conduit and wiring. A large multifamily residence is defined as a single residential building that accommodates five or more families.

The Act requires building permits issued beginning January 1, 2026, to require any new construction of large multifamily residences that qualify as affordable housing developments to have specified EV-capable parking spaces as follows:

- A minimum of 40% EV-capable parking spaces beginning January 1, 2026;
- A minimum of 50% EV-capable parking spaces beginning January 1, 2029; and,
- A minimum of 70% EV-capable parking spaces beginning January 1, 2034.

The Act does not prohibit locally adopted building codes from requiring additional EV-capable parking spaces.

## ASSOCIATION OWNERS AND RENTERS

The Act permits unit owners of associations, condominiums or common interest communities to install EV-capable parking for their deeded parking space, a parking space in the unit owner's exclusive-use common area or a parking space that is specifically designated for use by that particular unit owner. If



an association requires approval for the installation or use of an EV charging system, the association must process and approve the application in the same manner as other modifications to the property. If an application is not denied in writing within 60 days of the date of receipt of the application, it shall be deemed approved. The Act further allows tenants of multifamily developments to install, at the tenant's expense, an EV-capable charging system on or in the leased premises. These provisions refer to parking contained within the property itself and not street parking.

A landlord shall not assess or charge a tenant any fee for the placement or use of an electric charging system. A landlord may require reimbursement for the cost of electricity, charge a reasonable fee for access and charge a security deposit to cover the costs to restore the property to its original condition if the tenant removes the EV charging system.

**iml.org**

