

## WSR 21-03-081

## PROPOSED RULES

## BUILDING CODE COUNCIL

[Filed January 19, 2021, 3:12 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-21-054.

Title of Rule and Other Identifying Information: Chapter 51-50 WAC, Amendments to the 2018 International Building Code, addressing electrical vehicle charging stations.

Hearing Location(s): On April 16, 2021, at 10:00 [a.m.], at 1500 Jefferson Street S.E., Olympia, WA 98504. Due to COVID-19, this meeting might be held virtually.

Date of Intended Adoption: May 21, 2021.

Submit Written Comments to: Shannon Pitts, 1500 Jefferson Street S.E., Olympia, WA 98504, email SBCC@des.wa.gov, by April 16, 2021.

Assistance for Persons with Disabilities: Contact Shannon Pitts, phone 360-407-9255, email Shannon.pitts@des.wa.gov [Shannon.pitts@des.wa.gov], by April 12, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposed rule is in response to ETSHB [E3SHB] 1257 and addresses electrical vehicle charging stations.

Reasons Supporting Proposal: Required by ETSHB [E3SHB] 1257.

Statutory Authority for Adoption: RCW 19.27.031 and 19.27.074.

Statute Being Implemented: Chapters 19.27 and 34.05 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council is seeking comments on the issues proposed in these changes: WAC 51-50-0427 sections, 427.1 Modifies the scope of projects impacted, 427.2 Changes the percentage from five to ten, 427.3 Addresses electrical rooms, 427.4 Addresses load management infrastructure, 427.5 Changes the percentage from five to ten and address[es] how to count accessible stalls.

Name of Proponent: Diane Glenn, Chair, state building code council, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Stoyan Bumbalov, 1500 Jefferson Street S.E., Olympia, WA 98504, 360-407-9277; and Enforcement: Local jurisdictions having authority.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Exemption per RCW 34.05.328 (5)(b)(v) for statute RCW 19.27.077.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. This will increase the cost of construction for impacted project[s] but the cost is minor when compared to the overall development cost.

A copy of the detailed cost calculations may be obtained by contacting Stoyan Bumbalov, 1500 Jefferson Street [S.E.], Olympia, WA 08504 [98504], phone 360-407-9277, email Stoyan.bumbalov@des.wa.gov.

January 8, 2021

Diane Glenn

Chair

OTS-2877.1

AMENDATORY SECTION (Amending WSR 16-03-064, filed 1/19/16, effective 7/1/16)

**WAC 51-50-0427 Section 427—Electric vehicle charging infrastructure.**

**427.1 Scope.** The provisions of this section shall apply to the construction of new buildings (~~(serving Group B, Group R-1 hotel and motel only, and Group R-2 occupancies)~~).

**EXCEPTIONS:** 1. Occupancies classified as Group R-3 or Group U.  
2. Group A, Group E, or Group M occupancies, except where employee parking spaces are designated. The provisions of Section 427 shall apply only to those designated employee parking spaces.

**427.2 Required electric vehicle charging infrastructure.** Where parking is provided, (~~(five)~~) ten percent of parking spaces shall be provided with electric vehicle charging infrastructure in compliance with Sections 427.3, 427.4 and 427.5. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number.

((EXCEPTION: Group R and Group B occupancies served by less than 20 on-site parking spaces.))

**427.3 Electrical room(s).** Electrical room(s) serving buildings with on-site parking (~~(areas shall be designed)~~) spaces must be sized to accommodate the potential for electrical equipment and distribution required to serve a minimum of 20 percent of the total parking spaces with 208/240 V 40-amp, circuit or equivalent electric vehicle charging infrastructure.

**427.4 Electric vehicle charging infrastructure.** Electric vehicle charging infrastructure shall (~~(be installed meeting one of)~~) meet the following requirements:

1. A minimum number of 208/240 V 40-amp, circuit or equivalent electric vehicle charging stations required to serve the parking spaces specified in section 427.2. The electric vehicle charging stations shall be located to serve spaces designated for parking and charging electric vehicles (~~(7-0#)~~).

2. Additional service capacity, space for future meters, panel capacity or space for additional panels, and raceways for future installation of electric vehicle charging stations. The service capacity and raceway size shall be designed to accommodate the future installation of the number of 208/240 V 40-amp, circuit or equivalent electric vehicle charging stations specified in section 427.2. The raceway shall terminate at spaces designated for parking and charging electric vehicles in the future.

Where designated electric vehicle charging locations serve exterior on-grade parking spaces that are located more than 4 feet from a building, raceways shall be extended below grade to a pull box in the vicinity of the designated future electric vehicle charging locations or stub above grade in the vicinity of the designated future electric vehicle charging locations, protected from vehicles by a curb or other device.

**EXCEPTION:** In lieu of surface-mounted raceway between the electrical panel and the designated electric vehicle charging locations, it is permitted to provide permanent markings indicating the pathway for future raceway, and one-inch diameter capped sleeves through each wall and floor assembly that are penetrated along that route. This pathway and the locations of capped sleeves shall also be indicated on the electrical plans. Raceway shall be installed for any portion of the pathway located below slabs, below grade, or within floor, wall or roof assemblies.

Load management infrastructure may be used to adjust the size and capacity of the required building electric service equipment and circuits on the customer facilities, as well as electric utility owned infrastructure, as allowed by applicable local and national electric codes.

**427.5 Electric vehicle charging infrastructure for accessible parking spaces.** When electric vehicle charging infrastructure is required, ~~((one))~~ ten percent of accessible parking space, rounded to the next whole number, shall be ~~((served by))~~ provided with electric vehicle charging infrastructure. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking. A maximum of ten percent rounded to the next whole number, of the accessible parking spaces are allowed to be included in the total number of electric vehicle parking spaces required under Section 427.2.

[Statutory Authority: RCW 19.27.031 and 19.27.074. WSR 16-03-064, § 51-50-0427, filed 1/19/16, effective 7/1/16.]