

SENATE, No. 3791

STATE OF NEW JERSEY

221st LEGISLATURE

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SYNOPSIS

Requires DOT to ensure electric vehicle charging stations be accessible to disabled drivers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT concerning the accessibility of electric vehicle charging
2 stations and supplementing Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. As used in this act:

8 “Level 2 charging” means the provision of electricity by an
9 onboard charging system providing 240 volt alternate current
10 electricity to a plug-in electric vehicle.

11 “Level 3 charging” means the provision of electricity by an off-
12 board charging system providing 480 volt alternate current
13 electricity to a plug-in electric vehicle.

14 “ABA” means the federal “Architectural Barriers Act of 1968”
15 (42 U.S.C. s.4151 et seq.).

16 “ADA” means the federal “Americans with Disabilities Act of
17 1990” (42 U.S.C. s.12101 et seq.).

18 “Charger” means a device with one or more charging ports and
19 connectors for charging electric vehicles. “Charger” also includes
20 electric vehicle supply equipment.

21 “Charging port” means the system within a charger that is
22 capable of charging a single electric vehicle at one time.

23 “Charging station” means a public or private vehicle fueling
24 station complete with electric vehicle supply equipment that is
25 capable of providing level 2 charging or level 3 charging for plug-in
26 electric vehicles.

27 “Charging station operator” means the entity that operates and
28 maintains the chargers, supporting equipment, and facilities at one
29 or more charging stations.

30 “Connector” means a device that attaches electric vehicles to
31 charging ports to transfer electricity.

32 “Contactless payment methods” means a secure method for
33 consumers to purchase services using a debit, credit, smartcard, or
34 another payment device by using radio frequency identification
35 technology and near-field communication.

36 “Department” means the Department of Transportation.

37 “Electric vehicle” means any passenger car, station wagon, or
38 other motor vehicle that is propelled solely by an electric motor or
39 energy storage device.

40 “ICT” means information and communication technology.

41 “Site” means a parcel of land bounded by a property line or a
42 designated portion of a public right-of-way.

43 “Vehicle charging inlet” means the area on a vehicle into which
44 a connector is plugged.

45 “Vehicle charging space” means a space to park an electric
46 vehicle for charging. A vehicle charging space may be a marked
47 parking space or an unmarked area adjacent to a charger.

1 2. a. No later than 18 months after the effective date of this
2 act, the department shall require that newly installed electric vehicle
3 charging stations in this State are readily accessible to allow
4 independent use by drivers with disabilities, including, but not
5 limited to, people who have lost the use of one or more limbs,
6 cannot walk without the use of an assistive device, or have a
7 disability which severely hinders the individual's functional
8 limitations. Electric vehicle charging stations installed in the State
9 shall include physical access for people who use mobility devices,
10 including, but are not limited to: wheelchairs, canes, scooters, and
11 walkers. Chargers in the State shall be required to have accessible
12 communication features and operable parts. A charger containing
13 ICT that is developed, procured, maintained, or used by any entity
14 within the State shall comply with Section 508 of the federal
15 Rehabilitation Act of 1973 (29 U.S.C. s.794d) and have accessible
16 ICT, including accessible hardware, software, and operable parts.

17 b. Chargers designed to serve people who use mobility devices
18 shall be located on an accessible route and shall provide:

19 (1) a vehicle charging space that is at least 11 feet wide and 20
20 feet long;

21 (2) an adjoining access aisle that is at least five feet wide and
22 the full length of the vehicle charging space;

23 (3) a clear floor or ground space at the same level as the vehicle
24 charging space and positioned for an unobstructed side reach; and

25 (4) accessible operable parts, including parts on the charger and
26 connector.

27 c. The department shall adopt the technical requirements for
28 accessible routes established by the ADA and ABA standards,
29 including walking surfaces, curb ramps, and ramps.

30 d. The department may require existing charging stations to
31 comply with the accessibility requirements as provided in this act.
32 The department may authorize, as necessary, charging stations
33 installed prior to the effective date of this act to meet accessibility
34 requirements to the maximum extent feasible.

35
36 3. Where vehicle charging spaces are marked, access aisles
37 shall also be marked to restrict parking therein. The width of the
38 vehicle charging spaces and access aisles shall be measured to the
39 centerline of markings, but may include the full width of lines
40 where there is no adjacent vehicle space or access aisle. One access
41 aisle may be shared by two vehicle charging spaces, or a charging
42 space and a parking space, but overlap of the aisle shall be limited
43 to five feet. Access aisles shall not be blocked or obscured by
44 curbs, wheel stops, bollards, or charging cable slack. Floor or
45 ground surfaces of vehicle charging spaces and access aisles shall
46 comply with Section 302 of the ADA. The access aisle shall be
47 connected by an accessible route to the clear floor or ground space
48 at the charger. When charging cables are less than 10 feet, the

1 charger shall be positioned so that the operable parts and clear floor
2 or ground space are on the same side as the access aisle.

3
4 4. Chargers shall provide a clear floor or ground space. Clear
5 floor or ground spaces shall meet ADA requirements for ground and
6 floor surfaces, including criteria for firmness, stability, and slip
7 resistance. The clear floor or ground space shall be free of changes
8 in level and not sloped more than 1:48. Grass, curbs, wheel stops,
9 and bollards shall not be located within the clear floor or ground
10 space. Clear floor or ground space at chargers shall be a minimum
11 of 30 inches by 48 inches. Additional space may be required where
12 the clear floor or ground space confined on three sides and
13 obstructed for more than half the depth. Chargers shall be installed
14 at the same level as the vehicle charging space and access aisle so
15 that the clear floor or ground space can be placed as close as
16 possible to the charger. For a charger that is required to be installed
17 on a curb, such as at on-street parking, the charger shall be placed
18 as close to the edge of the face of the curb as possible and no farther
19 than 10 inches away from the face of the curb.

20
21 5. A reasonable number of chargers, as determined by the
22 department, shall comply with Section 309 of the ADA operable
23 parts requirements, including technical requirements for clear floor
24 or ground space, reach ranges, and operation. Operable parts on
25 chargers shall include, but shall not be limited to, the connector,
26 card readers, electronic user interfaces, and switches and buttons,
27 including the emergency start or stop button. All operable parts
28 shall also meet the ADA requirements for an unobstructed side
29 reach and be no higher than 48 inches above the clear floor or
30 ground space and no farther than 10 inches away. An exception for
31 a fuel dispenser shall not be used. Operable parts shall be placed at
32 a reasonable height, as determined by the department, but not less
33 than a minimum of 15 inches from the base of the charger.

34
35 6. Connectors shall allow operation with one hand and no tight
36 grasping, pinching, or twisting of the wrist, and shall require no
37 more than five pounds of force to operate. Lightweight charging
38 cables, including, but not limited to, Level 2 charging and Level 3
39 charging cables shall be of sufficient length, as determined by the
40 department, to charge a vehicle with various charging inlet
41 locations. Heavier and shorter Level 3 charging cables shall be able
42 to charge a vehicle positioned at least five feet away and shall be
43 installed so that users can access the vehicle charging inlet, access
44 aisle, and charger. Charging cables shall not block or obstruct
45 accessible routes when stored or when connected to vehicles.

46
47 7. a. All chargers that are procured or maintained in the State
48 shall comply with the technical requirements for hardware under

1 Section 508 of the federal “Rehabilitation Act of 1973” (29 U.S.C.
2 s.794d).

3 b. Charging station display screens shall:

4 (1) be visible from a point located 40 inches above the clear
5 floor or ground;

6 (2) avoid bright and rapid flashing lights;

7 (3) include at least one mode with text characters in a sans serif
8 font and have an adjustable text size or a minimum character height
9 of 3/16 inch;

10 (4) enable speech output that includes:

11 (a) an option for display screens to provide speech output that is
12 capable of full and independent use by individuals with vision
13 impairments;

14 (b) coordination with information displayed on the display
15 screen;

16 (c) capabilities that allow for pausing and repeating; and

17 (d) volume controls; and

18 (5) include Braille instructions for initiating the speech output
19 function.

20 c. Input controls shall include:

21 (1) a label on keys and visual controls with high contrast;

22 (2) a control that is tactically discernible;

23 (3) a QWERTY layout when alphabetical keys are provided;

24 (4) a 2-second delay before input of a key is repeated; and

25 (5) a visual, auditory, or tactile alert that notifies the user when
26 a timed response is required and gives the user an opportunity to
27 indicate more time is needed.

28 d. If the charger requires the use to have a physical token that
29 requires a particular orientation for its use, including, but not
30 limited to, NFC key fobs, then the card or token shall provide a
31 tactically discernible orientation.

32

33 8. a. Registration and payment card readers shall be
34 compatible with contactless payment systems, tactically discernible,
35 and provide visual and audible feedback.

36 b. Charging station operators shall provide customer service,
37 help support, or other mechanisms to report outages, malfunctions,
38 obstructed chargers, and other issues.

39

40 9. a. A charging station shall connect to an accessible route
41 that leads to an accessible entrance of the building or facilities on
42 the same site. Additionally, the accessible chargers shall be on the
43 shortest accessible route to the accessible entrance relative to other
44 chargers at the same charging station.

45 b. Charging stations in parking garages shall provide an
46 accessible route that connects to the accessible pedestrian entrance
47 of the parking garage. Additionally, a minimum vertical clearance

1 of 98 inches shall be maintained throughout the vehicular route to
2 the accessible vehicle charging space and access aisle.

3 c. Sites with charging stations as the primary purpose shall
4 include accessible routes that connect to any amenities on the site
5 and, if provided, a sidewalk in the public right-of-way.

6 d. Charging stations added to existing sites shall comply with
7 the ADA and ABA requirements for modifications and additions.
8 When conducting a modification of an existing site, compliance
9 with the ADA and ABA standards is required to the maximum
10 extent feasible. If charging stations are added to an existing site,
11 they shall connect to an accessible route and a reasonable number of
12 chargers, as determined by the department, shall comply with
13 Section 305 of the ADA, and have a clear floor or ground space and
14 operable parts within reach range.

15

16 10. Notwithstanding any law, or any rule or regulation adopted
17 pursuant thereto the contrary, shared or common-use chargers
18 located at residential facilities in the State shall be accessible.
19 Chargers that are designated to serve specific residential units shall
20 provide the appropriate accessibility features. When residential
21 facilities designate parking spaces to serve each residential unit, the
22 parking space for the mobility accessible unit shall be an accessible
23 parking space. A charger provided for a mobility accessible
24 residential unit shall have a charging space with accessible mobility
25 features. A charger provided for a communication accessible
26 residential unit shall have a charger with accessible communication
27 features.

28

29 11. The Department of Transportation shall adopt rules and
30 regulations, pursuant to the "Administrative Procedure Act,"
31 P.L.1968, c.410 (C.52:14B-1 et seq.) as may be necessary to
32 implement the provisions of this act.

33

34 12. This act shall take effect immediately.

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STATEMENT

38

39 This bill directs the Department of Transportation (DOT) to
40 require, no later than 18 months after the effective date of the bill,
41 that electric vehicle charging stations in the State are accessible to
42 allow for independent use by drivers with disabilities. The bill
43 requires electric vehicle chargers to be located on an accessible
44 route for drivers with mobility devices. The bill requires the DOT
45 to adopt technical requirements for accessible routes established
46 under federal law. The bill establishes that a charging space with
47 mobility features shall provide a vehicle space with a minimum
48 width of at least 11 feet and a minimum length of at least 20 feet,

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1 and that chargers provide a clear floor or ground space which meet
2 the federal "Americans with Disabilities Act of 1990" (ADA)
3 requirements for ground and floor surfaces, including criteria for
4 firmness, stability, and slip resistance. Further, under the bill, a
5 reasonable number of chargers, as determined by the DOT, are
6 required to comply with ADA operable parts requirements,
7 including technical requirements for clear floor or ground space,
8 reach ranges, and operation and a connector is required to allow
9 operation with one hand and no tight grasping, pinching, or twisting
10 of the wrist, and with no more than five pounds of force. Finally,
11 the bill directs that all chargers operated or maintained by any entity
12 within the State are required to comply with the technical
13 requirements for hardware under the federal "Rehabilitation Act of
14 1973."