

P.L. 2026, CHAPTER 51, *approved July 22, 2026*
Assembly, No. 4375 (*First Reprint*)

1 **AN ACT** concerning electric vehicle parking space calculations and
2 amending P.L.2021, c.171.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 3 of P.L.2021, c.171 (C.40:55D-66.20) is amended
8 to read as follows:

9 3. a. (1) As a condition of preliminary site plan approval, for
10 each application involving a multiple dwelling with five or more
11 units of dwelling space, which shall include a multiple dwelling that
12 is a building held under a condominium or cooperative form of
13 ownership, a mutual housing corporation, or a mixed use
14 development, the developer or owner, as applicable, shall:

15 (a) prepare as Make-Ready parking spaces at least 15 percent of
16 the required off-street parking spaces, and install electric vehicle
17 supply equipment in at least one-third of the 15 percent of Make-
18 Ready parking spaces;

19 (b) within three years following the date of the issuance of the
20 certificate of occupancy, install electric vehicle supply equipment in
21 an additional one-third of the original 15 percent of Make-Ready
22 parking spaces; and

23 (c) within six years following the date of the issuance of the
24 certificate of occupancy, install electric vehicle supply equipment in
25 the final one-third of the original 15 percent of Make-Ready
26 parking spaces.

27 (2) Throughout the installation of electric vehicle supply
28 equipment in the Make-Ready parking spaces, at least five percent
29 of the electric vehicle supply equipment shall be accessible for
30 people with disabilities.

31 (3) Nothing in this subsection shall be construed to restrict the
32 ability to install electric vehicle supply equipment or Make-Ready
33 parking spaces at a faster or more expansive rate than as required by
34 this subsection.

35 (4) Parking spaces equipped with electric vehicle supply
36 equipment installed in accordance with P.L.2020, c.80 (C.52:27D-
37 141.10 et seq.) and P.L.2020, c.108 (C.45:22A-48.4) shall count
38 towards the total number of electric vehicle supply equipment
39 required installations.

40 (5) During the site plan application review for multiple dwelling
41 units, the local land use board shall review the locations where the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASL committee amendments adopted May 11, 2026.

1 Make-Ready equipment or electric vehicle supply equipment will
2 be installed.

3 b. (1) As a condition of preliminary site plan approval, each
4 application involving a parking lot or garage not covered in
5 subsection a. of this section, a developer or owner, as applicable,
6 shall:

7 (a) install at least one Make-Ready parking space if there will
8 be 50 or fewer off-street parking spaces;

9 (b) install at least two Make-Ready parking spaces if there will
10 be 51 to 75 off-street parking spaces;

11 (c) install at least three Make-Ready parking spaces if there will
12 be 76 to 100 off-street parking spaces;

13 (d) install at least four Make-Ready parking spaces, at least one
14 of which shall be accessible for people with disabilities, if there will
15 be 101 to 150 off-street parking spaces; or

16 (e) install at least four percent of the total parking spaces as
17 Make-Ready parking spaces, at least five percent of which shall be
18 accessible for people with disabilities, if there will be more than
19 150 off-street parking spaces.

20 (2) In lieu of installing Make-Ready parking spaces, a parking
21 lot or garage may install electric vehicle supply equipment to satisfy
22 the requirements of this subsection.

23 (3) Nothing in this subsection shall be construed to restrict the
24 ability to install electric vehicle supply equipment or Make-Ready
25 parking spaces at a faster or more expansive rate than as required by
26 this subsection.

27 (4) With respect to parking spaces for people with disabilities,
28 the model land use ordinance published pursuant to section 4 of
29 P.L.2021, c.171 (C.40:55D-66.21) shall include standards that
30 provide for the progression of accessible Make-Ready parking
31 spaces to accessible electric vehicle supply equipment parking
32 spaces, and shall conform to the requirements of the most recent
33 "International Building Code" and "International Residential Code"
34 published by the International Code Council except as the
35 Commissioner of Community Affairs deems appropriate to deviate
36 from those codes.

37 c. Notwithstanding the provisions of subsections a. and b. of
38 this section, a retailer that provides 25 or fewer off-street parking
39 spaces or the developer or owner of a single-family home shall not
40 be required to provide or install any electric vehicle supply
41 equipment or Make-Ready parking spaces.

42 d. (1) The Site Improvement Advisory Board, established
43 pursuant to section 3 of P.L.1993, c.32 (C.40:55D-40.3), shall, no
44 later than 90 days following enactment of P.L.2021, c.171
45 (C.40:55D-66.18 et al.), submit a recommendation to the
46 Commissioner of Community Affairs to amend the Statewide site
47 improvement standards for multifamily residential development to
48 include the requirements set forth in sections 1 through 3 of

1 P.L.2021, c.171 (C.40:55D-66.18 through C.40:55D-66.20) and to
2 include parking spaces with electric vehicle supply equipment in the
3 calculation of minimum required parking spaces. The
4 Commissioner of Community Affairs may review and promulgate
5 the recommendation in accordance with the procedure set forth in
6 subsection b. of section 4 of P.L.1993, c.32 (C.40:55D-40.4). The
7 adopted criteria shall be consistent with the model land use
8 ordinance published by the Commissioner of Community Affairs
9 pursuant to section 4 of P.L.2021, c.171 (C.40:55D-66.21).

10 (2) The "State Uniform Construction Code Act," P.L.1975, ¹["c.
11 217"] c.217¹ (C.52:27D-119 et seq.), shall incorporate the
12 requirements set forth in sections 1 through 3 of P.L.2021, c.171
13 (C.40:55D-66.18 through C.40:55D-66.20) no later than 90 days
14 following enactment of P.L.2021, c.171 (C.40:55D-66.18 et al.).
15 The adopted criteria shall be consistent with the model land use
16 ordinance published by the Commissioner of Community Affairs
17 pursuant to section 4 of P.L.2021, c.171 (C.40:55D-66.21).

18 e. A parking space prepared with electric vehicle supply
19 equipment or Make-Ready equipment pursuant to this section shall
20 count as at least two parking spaces for the purpose of complying
21 with a minimum parking space requirement. This subsection shall
22 result in a reduction of no more than 10 percent of the total required
23 parking, subject to adjustment resulting from rounding pursuant to
24 subsection f. of this section.

25 f. All parking space calculations that include any fraction of a
26 whole number for electric vehicle supply equipment and Make-
27 Ready equipment pursuant to this section shall be rounded up to the
28 next full parking space, provided that the rounded calculation does
29 not exceed the limitation set forth in subsection e ¹. of this section¹.

30 g. **【A】** Notwithstanding ¹【an】 any¹ ordinance to the contrary,
31 ¹a¹ permitting application solely for the installation of electric
32 vehicle supply equipment permitted as an accessory use shall not be
33 subject to review based on parking requirements.

34 h. A power company funding the installation of electric vehicle
35 supply equipment or Make-Ready parking spaces shall collaborate
36 with developers and owners, with consultation from the Board of
37 Public Utilities, in implementing the provisions of P.L.2021, c.171
38 (C.40:55D-66.18 et al.).

39 i. The requirements in subsection a. and b. of this section are
40 based on the number of off-street parking spaces associated with
41 new construction that are required as part of a site plan approval; or,
42 in the case of an expansion to an existing development or an
43 existing parking lot or garage, the number of new, off-street parking
44 spaces created as part of a site plan approval. If a developer or
45 owner has received a parking variance as part of the site plan
46 approval, the requirements shall be based on the number of off-
47 street parking spaces provided pursuant to the variance.

1 j. For the purposes of determining consistency with a
2 redevelopment plan, or other development plan adopted pursuant to
3 law, including a master plan or zoning-based development plan, any
4 electric vehicle parking credits authorized pursuant to this section
5 shall be applied to the concept plan review stage. The application
6 of electric vehicle parking credits pursuant to this section shall not
7 be construed as a variance from zoning or site plan requirements.
8 (cf: P.L.2023, c.220, s.1)

9
10 2. This act shall take effect immediately.

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13 _____
14
15 Specifies electric vehicle parking space calculation is rounded up
16 if it includes fraction of a whole number and rounded-up parking
17 spaces cannot reduce overall parking supply by more than 10
18 percent.