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September 28, 2015

Jim McGowan, CBSC Executive Director
Michael Nearman, CBSC Deputy Executive Director
Dennis Corelis, DSA Deputy State Architect

RE: DSA Proposed Changes to CCR, Title 24, Part 2, Chapter 11B
Items 11B.51–11B.51.06: Disabled Accessibility at Electric Vehicle Charging Stations

ChargePoint appreciates all of the work that went into developing this code. Headquartered in Campbell, California, ChargePoint is the world's largest and most open EV charging network with more than 23,600 level 2 and DC fast charging spots. Every 6 seconds, a driver connects to a ChargePoint station and by initiating over 11 million charging sessions, ChargePoint drivers have driven over 222 million gas free miles.

As participants in the DGS/DSA working group process, ChargePoint understands that this proposal is an attempt to address an issue on which positions were widely varied. We believe that statewide clarification on accessibility at charging stations is vital and overdue. However, we are concerned that these requirements go too far and may dissuade businesses from investing in charging stations.

Support for Section 11B-228.3.2. Except #1 with Clarification on Workplace

ChargePoint strongly supports Section 11B-228.3.2 Exception #1 for "*EVCS not available to the general public and intended for use by a designated vehicle or driver.*"

However, we would like clarification on the clarifying language related to this exception which reads "*Examples include, but are not limited to, EVCS serving public or private fleet vehicles and EVCS assigned to an employee.*" This language is unclear. ChargePoint supports this exception if it is intended to apply to parking that is employee-only or restricted access (with no public charging). However, if this language is intended to provide an exception only if the parking space is assigned to one individual employee, ChargePoint would be opposed. In most workplaces, EVCS is used by multiple employees per day and not assigned to a single employee. This exception would not be cost-effective or realistic in practice.

ChargePoint would recommend making the following change to Section 11B-228.3.2. Exception #1 to provide clarification:

*"Examples include, but are not limited to, EVCS serving public or private fleet vehicles and EVCS ~~assigned to an employee~~ **located in employee-only parking areas.**"*

Table 11B-228.3.2.1 Electric Vehicle Charging Stations for Public Use and Common Use

ChargePoint is concerned that the levels proposed in Table 11B-228.3.2.1 will significantly limit future public charging station deployment in California, which is counter to supporting the Governor's goal of 1.5 million EVs by 2025. We understand and appreciate the need for accessible parking. However, these thresholds are ambitious and potentially damaging to the market. Property owners will likely chose to cap their investments at 25 charging stations to avoid needing to meet the requirement of three different accessible parking spaces. If there is a clear need and justification for ambulatory parking spaces, this requirement and



the cap could actually lead to no ambulatory spaces being enabled at public charging in the state. Overall, the caps will likely lead to reductions in potential deployments at public sites throughout the state. Sites will consider these code requirements and may decide that losing parking lot space is not worth the benefit of providing public charging, which again is counter to California's EV policy goals.

ChargePoint also questions the justification for three different sizes of accessible parking spaces. In addition to causing sites to cap deployments, drivers may be confused as to the differences between the three accessible parking spaces and to the different rules of use.

Clarification on Retrofits and Sharing

ChargePoint shares the concerns raised by the California Electric Transportation Coalition (CaETC) in their 9/24/15 comments, which were also seconded by the building industry parties in their comments on 9/24/15. Clarification is needed to determine whether these accessibility building standards (CBC Chapter 11B, Section 202, 208, 228 and 812) apply to the installation of new charging stations in existing parking lots.

ChargePoint fully supports exempting retrofit projects from these standards. The impact of requiring one van-accessible parking space for the first four charging stations deployed would lead to a complete re-working of an existing parking lot, causing that lot to lose several existing parking spaces to accommodate the van-accessible sized space, which could easily make installing charging stations financially unfeasible for many sites, particularly small businesses, in that state.

Secondly, we support the "sharing concept" as described by CaETC. The "sharing" design allows for the installation of a dual-port EV charging station to serve both an existing disabled-only van-size space and an adjacent parking space. As the building industry points out in their comments, until the federal government through the Department of Justice addresses this specific issue, it is premature to block the sharing concept in California.

Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink that reads "Anne Smart". The signature is written in a cursive, flowing style.

Anne Smart
Director, Government Relations and Regulatory Affairs
ChargePoint