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| LFC Requester: | Emily Hilla |
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**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:
Original **Amendment**
Correction **Substitute**

Date January 16, 2025
Bill No: HB 88

Sponsor: Rep. Dayan Hochman
Short Title: Electric Vehicle Charging Station Zoning Act

Agency Name and Code Regulation and Licensing Department-420
Number: _____
Person Writing Lori Chavez
Phone: 505-469-2728 **Email** Lori.chavez1@rld.nm.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY25 | FY26 | | |
| None | None | None | None |
| | | | |

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY25 | FY26 | FY27 | | |
| None | None | None | None | None |
| | | | | |

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY25 | FY26 | FY27 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|-------------|-------------|-------------|------------------------------|--------------------------------------|--------------------------|
| Total | None | None | None | None | None | None |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a

Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 88 creates a new “Electric Vehicle Charging Station Zoning Act” that allows county and municipal zoning departments to approve applications for electric vehicle charging station permits with only an administrative review, thereby, eliminating the current requirements for public hearing and use variance. HB 88 requires a review of all electric vehicle charging station permit applications for compliance with applicable codes adopted by the construction industries commission and counties and municipalities shall not impose non-code compliance issues or other restrictions on the installation of electric vehicle charging stations other than to ensure compliance with applicable codes adopted by the Construction Industries Commission.

HB 88 requires that applications for electric vehicle charging station permits be denied in writing within 30 business days after submission; otherwise, the application is deemed approved.

HB 88 allows the electric vehicle charging station to be counted as at least on standard parking space for the purpose of complying with applicable minimum parking requirements and electric vehicle charging stations designed to meet disability accessibility standards to be counted as two standard parking spaces.

HB 88 requires counties and municipalities to create a checklist of all requirements necessary to complete an electric vehicle charging station permit application and to notify the applicant in writing within 15 days of submission if the application is incomplete, along with a clear explanation of any missing documents or required corrections. The application shall be deemed complete on the 16th day if the county or municipality fails to provide the written explanation within 15 days of submission.

FISCAL IMPLICATIONS

There is no direct fiscal impact anticipated for the Regulation and Licensing Department if HB 88 is enacted.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

The Construction Industries Division does not possess permitting authority over planning and zoning processes. These expedited requirements for electric vehicle charging stations must be determined at the county or municipal level. By streamlining these permitting processes, local authorities can effectively support the transition to electric vehicles while promoting sustainable practices within their communities. HB 88 only applies to county and municipal zoning departments. The bill does not directly affect the Regulation and Licensing Department.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS