

March 23, 2020

Greg Wheeler, CBO
President, International Code Council
City of Thornton
9500 Civic Center Drive
Thornton, CO 80229

Dominic Sims
CEO, International Code Council
500 New Jersey Avenue, NW
6th Floor, Washington, DC 20001

Re: EV-Ready Amendments to the 2021 IECC

Dear Messrs Wheeler and Sims:

The Northeast States for Coordinated Air Use Management (NESCAUM)¹ is writing to rebut the recent assertion of the National Association of Home Builders (NAHB) that the electric vehicle (EV)-ready amendments to the 2021 International Energy Conservation Code (IECC) approved by voting code officials in the December 2019 Online Governmental Consensus Vote (OGCV) are beyond the scope of the IECC, and to urge the International Code Council (ICC) to approve the amendments. The proposed EV-ready code amendments received strong support from voting code officials across the country, and contrary to the NAHB's assertion, fall squarely within the scope of the IECC.

Deployment of electric vehicle charging infrastructure in new construction is a high priority for our states. Accordingly, NESCAUM participated in the 2021 IECC code amendment process through submission of written comments explaining the importance and benefits of EV-ready building codes and supporting the IECC EV-ready amendments for commercial and residential buildings (CE 217 and RE 147-19) at both the Development Committee and Public Action Hearing stages of the code process.

NAHB's challenge to the EV-ready building code amendments is untimely. Questions about whether a proposed amendment is within the scope of a building code should be raised early in the development process by ICC staff or stakeholders to provide proponents with adequate opportunity to consider and address the issue in written public comments and oral testimony. This has been the ICC's consistent practice in previous code cycles. In the 2018 IECC update process, as an example, the question of whether RE114-16 (relating to lavatory faucets) was properly within the scope of the IECC was raised immediately following submission of the proposal. ICC staff promptly provided written public analysis on the issue before and after

¹ NESCAUM is a non-profit association of the state air pollution control agencies of Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NESCAUM provides technical and policy advice to its members, and facilitates multi-state initiatives on a range of air quality, climate, and clean transportation issues. Transportation electrification is a top priority for the NESCAUM member states.

public comments were filed on the proposal to ensure adequate notice of the scoping issue. In the case of the proposed EV-ready amendments, no such issue with CE217-19 or RE147-19 was raised during the development or voting process, thereby denying proponents the opportunity to address this threshold question. By directly petitioning the ICC to reverse the result of an OGCV, NAHB has bypassed the prescribed public appeal method outlined in Code Policy (CP) Number 28 Section 12, and CP Number 1.

In addition to being untimely, NAHB's claim is without merit. Ensuring that new homes and commercial buildings are designed and constructed to implement public energy efficiency policies falls squarely within the purpose of the IECC – to enhance energy efficiency through improvements to building systems. EVs are much more energy efficient than conventional vehicles and can be readily powered by renewable sources of electricity. Changes to policies and codes, such as the IECC, are necessary to capture these benefits. CE217-19 and RE147-19 recognize the fact that state and municipal policy makers across the country are embracing the energy efficiency benefits of transportation electrification as an effective means to meet state science-based greenhouse gas emission reduction targets, improve air quality and public health, increase grid integration of renewable energy sources, and improve the efficiency and operation of the grid. Deployment of electric vehicle charging infrastructure at residential and commercial buildings is absolutely essential to achieve widespread adoption of electric vehicles and meet consumer expectations for convenient home, workplace, and public charging.

Moreover, requiring installation of electric vehicle charging infrastructure during initial construction delivers significant overall cost savings. It is well documented that retrofitting buildings with the electrical infrastructure necessary to deploy electric vehicle charging stations can cost up to three times more than installation during initial construction.

Closing the charging infrastructure gap that presently exists in homes and businesses is essential to serve the steadily growing number of electric vehicles that are replacing conventionally fueled vehicles. The IECC can, and must, play an important role in ensuring that newly constructed residential and commercial buildings accommodate the nation's transition to an electrified energy saving transportation sector.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Miller". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Paul J. Miller
Executive Director