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## THE TRANSFORMATION OF THE ENERGY SECTOR

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### ELECTRIC VEHICLES

#### EVs dealt major blow in building code ruling

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Natural gas industry and homebuilders' associations have defeated three changes to the internationally accepted model for building codes that would have helped prepare homes for charging electric vehicles. Chargepoint

In a setback to clean energy advocates, gas industry and homebuilder associations blocked an effort this month to prepare new homes and commercial buildings for a future wave of electric vehicles, stoves and heaters.

The effort came before the International Code Council, an association that says its model codes for building safety are the "most widely used and adopted set ... in the world."

Three proposed changes to the ICC's codes would have made electric vehicle-ready wiring an automatic feature of new buildings, along with accommodations for electric-powered appliances.

Proponents said the extra wiring would cost more upfront but save building owners on higher retrofitting costs, while laying foundations for carbon dioxide reductions in transportation and buildings. City and state officials had approved them by a wide margin in online voting.

But after several gas and developer groups appealed, the ICC's board of directors decided to leave out the EV and "electric-readiness" provisions, ruling that they did not fit within the codes' "scope and intent."

The rulings surprised and angered electrification advocates, who said they would dampen local momentum toward a clean energy transition and suppress the voice of public officials.

"I was shocked," said Matt Frommer, a senior transportation associate at the Southwest Energy Efficiency Project and co-author of the EV provisions. "We thought they would honor the vote of the membership. These are the governments that are going to use the code, and they want these EV requirements in there."

Many city, county and state officials use the ICC's models — which are updated every three years — as a guide for their own codes, noted advocates. Some jurisdictions even have laws requiring local codes to mirror the ICC's models.

"Most people start by picking up the book," said Kim Cheslak, associate director of codes and policy at the New Buildings Institute, in reference to the ICC's model codes.

Officials in some places would be less likely to lay groundwork for building and car electrification as a result of the council's rulings, she added.

"There's going to be some states where no one ever says, 'We should look at this EV thing,'" Cheslak said. "If they're not already thinking in terms of electrification, it's never going to come up."

### A rigged process?

The board also called for a review of the council's voting process, which this cycle saw unprecedented participation from city and state officials after a get-out-the-vote drive by efficiency advocates and the U.S. Conference of Mayors ([Energywire](#), Aug. 28).

The rulings could add to scrutiny of homebuilders' influence within the ICC. One secret deal between the council and the National Association of Home Builders (NAHB), revealed by *The New York Times* last year, gave homebuilders four guaranteed seats on an 11-member technical committee.

One of the three voting members on the appeals board that overturned the EV and electric-readiness proposals is also an NAHB member — a fact raised by several supporters of the proposals.

"I have a hard time believing that the relationship that NAHB has with ICC was not a factor in these decisions," said Cheslak.

The NAHB was one of four industry groups that mounted a successful appeal on procedural grounds, along with the American Public Gas Association, the American Gas Association and Leading Builders of America.

The two homebuilders groups had also attacked the online voting process, arguing that energy efficiency advocates had gamed the system and led to a flood of "suspect" voters. They pointed to proposals that were rejected by two ICC expert panels before being forced through by a two-thirds majority of online voters.

Liz Thompson, director of media relations at the NAHB, said the council had "made the correct decision" in siding with the builders' appeal.

"[A]dvocates found and exploited a loophole in the process, which resulted in outcomes that no one ever envisioned would happen or be appropriate," wrote Thompson in an email to E&E News.

She also pointed out that the NAHB had appealed — and lost — 17 other approved changes to the model codes. "If it was simply an influence game and NAHB truly had the influence those groups seem to suggest we have, I would imagine NAHB would have prevailed on all of its appeals."

Michael Pfeiffer, senior vice president of technical services at the ICC, defended the council's code making process as open and fair, noting that anyone — not just council members — could submit changes to the codes and testify at hearings.

Gas interests further applauded the ICC's actions. Audrey Casey, a spokesperson from the American Public Gas Association, said the appeals process was "an excellent example of today's effective code development practices" that would give consumers the right to choose natural gas for their homes.

Spokespeople from the American Gas Association also said they were "pleased" with the outcome, writing in an email that the codes "would not have provided any measurable energy efficiency improvements and, in some cases, would increase energy usage in the homes and buildings."

The group noted that it had a staff member on the ICC board who would review future development of the codes. "[W]e will remain engaged with the hope of adopting an improved code change process that all stakeholders will support," a spokesperson wrote.

The ICC's board of directors announced its decision via an email list on Oct. 8 but did not make it public on its webpage until later this month.

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