

EPBD on the horizon

New requirements for electric vehicle charging infrastructure

Non-residential property owners will face new challenges due to regulatory changes caused by the implementation of the Energy Performance of Buildings Directive (EPBD).

The regulations for the installation of electric vehicle charging infrastructure provided for by the Act on Electromobility will be tightened.

The regulations being introduced, which are part of the European Green Deal, aim to increase the availability of charging sites, which will accelerate the development of electromobility in Europe.

From 2025, non-residential buildings must have at least 1 charging point

Under the current provisions of the Act on Electromobility, new non-residential buildings must be designed and constructed in such a way that:

- at least 1 charging point;
- channels for electrical wires and cables to allow the installation of at least 1 charging point per 5 parking spots.

This applies to buildings with **more than 10 parking spots associated with them.**

Notwithstanding the above, the 2021 amendment to the Act on Electromobility provides for the mandatory installation of charging points also in already existing non-residential buildings with which more than 20 parking spaces are associated. According to the above-mentioned provision, the following must be installed in such buildings **by 1 January 2025:**

- at least 1 charging point;
- channels for electrical wires and cables to allow the installation of charging points for at least 1 in 5 parking spots.



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When calculating the number of parking spots, it is necessary to take into account those spots that are located inside or are adjacent to the building.

Please note that the regulations provide certain exemptions to the above-mentioned obligations for small and medium-sized entrepreneurs.

More rigorous requirements of the EPBD - more charging points

The EPBD imposes more rigorous regulations on the number of charging points in non-residential buildings. For new non-residential buildings (or those undergoing major renovations) with **more than 5 car parking spots, the installation of:**

- at least 1 charging point for every 5 car parking spot;
- pre-wiring for at least 50 % of the car parking spots with appropriate ducting infrastructure to enable the installation of charging points for electric vehicles, electric bicycles and other types of vehicles of that category at a later stage.

In addition, according to the EPBD, for all non-residential buildings with **more than 20 car parking spots, the installation of at least 1 charging point for every 10 car parking spots** or ducting infrastructure for at least 50% of the car parking spots must be provided **by 1 January 2027** to allow for the installation of electric vehicle charging points at a later stage.

Member States **may postpone the implementation of this requirement until 1 January 2029** for all non-residential buildings that have been renovated within two years before 28 May 2024 in order to comply with the national requirements.

It should be borne in mind that the EPBD has not yet undergone the process of implementation into the Polish legal order, which entails the risk of the Polish lawmaker adopting even more ambitious electromobility targets.

Member States have time **until 29 May 2026** to adapt their legislation to the provisions of the EPBD.

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