

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 13-0649.01 Duane Gall x4335

**SENATE BILL 13-126**

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**SENATE SPONSORSHIP**

**Guzman,**

**HOUSE SPONSORSHIP**

**Duran,**

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**Senate Committees**  
Local Government

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE REMOVAL OF UNREASONABLE RESTRICTIONS ON THE**  
102 **ABILITY OF THE OWNER OF AN ELECTRIC VEHICLE TO ACCESS**  
103 **CHARGING FACILITIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

**Sections 1, 2, and 3** of the bill prohibit a landlord or the unit owners' association of a condominium or common interest community, respectively, from restricting the right of a tenant or unit owner to install an electric vehicle charging system for his or her own use, at the tenant's

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 19, 2013

SENATE  
Amended 2nd Reading  
February 15, 2013

or unit owner's expense, and subject to reasonable safety and insurance requirements.

**Section 4** allows grants to be made from the electric vehicle grant fund to apartment owners, condominiums, and common interest communities to install recharging stations for electric vehicles.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 38-12-601** as  
3 follows:

4 **38-12-601. Unreasonable restrictions on electric vehicle**  
5 **charging systems - definitions.** (1) NOTWITHSTANDING ANY PROVISION  
6 IN THE LEASE TO THE CONTRARY, AND SUBJECT TO SUBSECTION (2) OF THIS  
7 SECTION:

8 (a) A TENANT MAY INSTALL, AT THE TENANT'S EXPENSE FOR THE  
9 TENANT'S OWN USE, A LEVEL 1 OR LEVEL 2 ELECTRIC VEHICLE CHARGING  
10 SYSTEM ON OR IN THE LEASED PREMISES; AND

11 (b) A LANDLORD SHALL NOT ASSESS OR CHARGE A TENANT ANY  
12 FEE FOR THE PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING  
13 SYSTEM, EXCEPT THAT:

14 (I) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE  
15 ACTUAL COST OF ELECTRICITY PROVIDED BY THE LANDLORD THAT WAS  
16 USED BY THE CHARGING SYSTEM OR, ALTERNATIVELY, MAY CHARGE A  
17 REASONABLE FEE FOR ACCESS;

18 (II) THE LANDLORD MAY REQUIRE REIMBURSEMENT FOR THE COST  
19 OF THE INSTALLATION OF THE CHARGING SYSTEM, INCLUDING ANY  
20 ADDITIONS OR UPGRADES TO EXISTING WIRING DIRECTLY ATTRIBUTABLE  
21 TO THE REQUIREMENTS OF THE CHARGING SYSTEM, IF THE LANDLORD  
22 PLACES OR CAUSES THE ELECTRIC VEHICLE CHARGING SYSTEM TO BE  
23 PLACED AT THE REQUEST OF THE TENANT; AND

1           (III) IF THE TENANT DESIRES TO PLACE AN ELECTRIC VEHICLE  
2           CHARGING SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS, THE  
3           LANDLORD MAY ASSESS OR CHARGE THE TENANT A REASONABLE FEE TO  
4           RESERVE A SPECIFIC PARKING SPOT IN WHICH TO INSTALL THE CHARGING  
5           SYSTEM.

6           (2) A LANDLORD MAY REQUIRE A TENANT TO COMPLY WITH:

7           (a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN  
8           APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE  
9           PROTECTION OF PERSONS AND PROPERTY;

10          (b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED  
11          WITH THE LANDLORD WITHIN THIRTY DAYS AFTER INSTALLATION; OR

12          (c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE  
13          DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC  
14          VEHICLE CHARGING SYSTEM.

15          (3) A TENANT MAY PLACE AN ELECTRIC VEHICLE CHARGING  
16          SYSTEM IN AN AREA ACCESSIBLE TO OTHER TENANTS IF:

17          (a) THE CHARGING SYSTEM IS IN COMPLIANCE WITH ALL  
18          APPLICABLE REQUIREMENTS ADOPTED PURSUANT TO SUBSECTION (2) OF  
19          THIS SECTION; AND

20          (b) THE TENANT AGREES IN WRITING TO:

21          (I) COMPLY WITH THE LANDLORD'S DESIGN SPECIFICATIONS FOR  
22          THE INSTALLATION OF THE CHARGING SYSTEM;

23          (II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED  
24          ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE  
25          REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM; AND

26          (III) PROVIDE, WITHIN FOURTEEN DAYS AFTER RECEIVING THE  
27          LANDLORD'S CONSENT FOR THE INSTALLATION, A CERTIFICATE OF

1 INSURANCE NAMING THE LANDLORD AS AN ADDITIONAL INSURED ON THE  
2 TENANT'S RENTERS' INSURANCE POLICY FOR ANY CLAIM RELATED TO THE  
3 INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM.

4 (4) IF THE LANDLORD CONSENTS TO A TENANT'S INSTALLATION OF  
5 AN ELECTRIC VEHICLE CHARGING SYSTEM ON PROPERTY ACCESSIBLE TO  
6 OTHER TENANTS, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE  
7 STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN AGREEMENT  
8 WITH THE LANDLORD:

9 (a) THE TENANT, AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE  
10 RIGHTS TO THE AREA WHERE THE CHARGING SYSTEM IS INSTALLED, IS  
11 RESPONSIBLE FOR ANY COSTS FOR DAMAGES TO THE CHARGING SYSTEM  
12 AND TO ANY OTHER PROPERTY OF THE LANDLORD OR OF ANOTHER TENANT  
13 THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR,  
14 REMOVAL, OR REPLACEMENT OF THE CHARGING SYSTEM;

15 (b) EACH SUCCESSIVE TENANT WITH EXCLUSIVE RIGHTS TO THE  
16 AREA WHERE THE CHARGING SYSTEM IS INSTALLED SHALL ASSUME  
17 RESPONSIBILITY FOR THE REPAIR, MAINTENANCE, REMOVAL, AND  
18 REPLACEMENT OF THE CHARGING SYSTEM UNTIL THE SYSTEM HAS BEEN  
19 REMOVED;

20 (c) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE  
21 RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED SHALL AT ALL  
22 TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE  
23 OBLIGATIONS OF THE TENANT UNDER THIS SUBSECTION (4) AND SHALL  
24 NAME THE LANDLORD AS AN ADDITIONAL INSURED UNDER THE POLICY;  
25 AND

26 (d) THE TENANT AND EACH SUCCESSIVE TENANT WITH EXCLUSIVE  
27 RIGHTS TO THE AREA WHERE THE SYSTEM IS INSTALLED IS RESPONSIBLE

1 FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT  
2 FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF ANY PROPERTY OF  
3 THE LANDLORD, WHETHER OR NOT LEASED TO ANOTHER TENANT.

4 (5) A CHARGING SYSTEM INSTALLED AT THE TENANT'S COST IS  
5 PROPERTY OF THE TENANT. UPON TERMINATION OF THE LEASE, IF THE  
6 CHARGING SYSTEM IS REMOVABLE, THE TENANT MAY EITHER REMOVE IT  
7 OR SELL IT TO THE LANDLORD OR ANOTHER TENANT FOR AN AGREED PRICE.  
8 NOTHING IN THIS SUBSECTION (5) REQUIRES THE LANDLORD OR ANOTHER  
9 TENANT TO PURCHASE THE CHARGING SYSTEM.

10 (6) AS USED IN THIS SECTION:

11 (a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING  
12 SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A  
13 PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO  
14 ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE  
15 ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH  
16 THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN  
17 APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE  
18 CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND  
19 MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES.  
20 AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY  
21 UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND  
22 MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE  
23 NATIONAL ELECTRICAL CODE.

24 (b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES  
25 CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A  
26 CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772  
27 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE

1 AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO  
2 TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING  
3 TIME.

4 (c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES  
5 CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY  
6 VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE  
7 INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON  
8 THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS  
9 ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER  
10 HOURLY CHARGING TIME.

11 **SECTION 2.** In Colorado Revised Statutes, add 38-33.3-106.8  
12 as follows:

13 **38-33.3-106.8. Unreasonable restrictions on electric vehicle**  
14 **charging systems - legislative declaration - definitions.** (1) **THE**  
15 **GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:**

16 (a) **THE WIDESPREAD USE OF PLUG-IN ELECTRIC VEHICLES CAN**  
17 **DRAMATICALLY IMPROVE ENERGY EFFICIENCY AND AIR QUALITY FOR ALL**  
18 **COLORADANS, AND SHOULD BE ENCOURAGED WHEREVER POSSIBLE;**

19 (b) **MOST HOMES IN COLORADO, INCLUDING THE VAST MAJORITY**  
20 **OF NEW HOMES, ARE IN COMMON INTEREST COMMUNITIES;**

21 (c) **THE PRIMARY PURPOSE OF THIS SECTION IS TO ENSURE THAT**  
22 **COMMON INTEREST COMMUNITIES PROVIDE THEIR RESIDENTS WITH AT**  
23 **LEAST A MEANINGFUL OPPORTUNITY TO TAKE ADVANTAGE OF THE**  
24 **AVAILABILITY OF PLUG-IN ELECTRIC VEHICLES RATHER THAN CREATE**  
25 **ARTIFICIAL RESTRICTIONS ON THE ADOPTION OF THIS PROMISING**  
26 **TECHNOLOGY; AND**

27 (d) **THE GENERAL ASSEMBLY ENCOURAGES COMMON INTEREST**

1 COMMUNITIES NOT ONLY TO ALLOW ELECTRIC VEHICLE CHARGING  
2 STATIONS IN ACCORDANCE WITH THIS SECTION, BUT ALSO TO APPLY FOR  
3 GRANTS FROM THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION  
4 24-38.5-103, C.R.S., OR OTHERWISE FUND THE INSTALLATION OF  
5 CHARGING STATIONS ON COMMON PROPERTY AS AN AMENITY FOR  
6 RESIDENTS AND GUESTS.

7 (2) NOTWITHSTANDING ANY PROVISION IN THE DECLARATION,  
8 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION TO THE  
9 CONTRARY, AND EXCEPT AS PROVIDED IN SUBSECTION (3) OR (3.5) OF THIS  
10 SECTION, AN ASSOCIATION SHALL NOT:

11 (a) PROHIBIT A UNIT OWNER FROM USING, OR INSTALLING AT THE  
12 UNIT OWNER'S EXPENSE FOR THE UNIT OWNER'S OWN USE, A LEVEL 1 OR  
13 LEVEL 2 ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN A UNIT; OR

14 (b) ASSESS OR CHARGE A UNIT OWNER ANY FEE FOR THE  
15 PLACEMENT OR USE OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON OR IN  
16 THE UNIT OWNER'S UNIT; EXCEPT THAT THE ASSOCIATION MAY REQUIRE  
17 REIMBURSEMENT FOR THE ACTUAL COST OF ELECTRICITY PROVIDED BY  
18 THE ASSOCIATION THAT WAS USED BY THE CHARGING SYSTEM OR,  
19 ALTERNATIVELY, MAY CHARGE A REASONABLE FEE FOR ACCESS.

20 (3) SUBSECTION (2) OF THIS SECTION DOES NOT APPLY TO:

21 (a) BONA FIDE SAFETY REQUIREMENTS, CONSISTENT WITH AN  
22 APPLICABLE BUILDING CODE OR RECOGNIZED SAFETY STANDARD, FOR THE  
23 PROTECTION OF PERSONS AND PROPERTY;

24 (b) A REQUIREMENT THAT THE CHARGING SYSTEM BE REGISTERED  
25 WITH THE ASSOCIATION WITHIN THIRTY DAYS AFTER INSTALLATION; OR

26 (c) REASONABLE AESTHETIC PROVISIONS THAT GOVERN THE  
27 DIMENSIONS, PLACEMENT, OR EXTERNAL APPEARANCE OF AN ELECTRIC

1 VEHICLE CHARGING SYSTEM.

2 (3.5) THIS SECTION DOES NOT APPLY TO A UNIT, OR THE OWNER  
3 THEREOF, IF THE UNIT IS A TIME SHARE UNIT, AS DEFINED IN SECTION  
4 38-33-110 (7).

5 (4) AN ASSOCIATION SHALL CONSENT TO A UNIT OWNER'S  
6 PLACEMENT OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED  
7 COMMON ELEMENT PARKING SPACE, CARPORT, OR GARAGE OWNED BY THE  
8 UNIT OWNER OR OTHERWISE ASSIGNED TO THE OWNER IN THE  
9 DECLARATION OR OTHER RECORDED DOCUMENT IF:

10 (a) THE SYSTEM IS IN COMPLIANCE WITH ANY DECLARATIONS,  
11 BYLAWS, OR RULES AND REGULATIONS OF THE ASSOCIATION; AND

12 (b) THE UNIT OWNER AGREES IN WRITING TO:

13 (I) COMPLY WITH THE ASSOCIATION'S DESIGN SPECIFICATIONS FOR  
14 THE INSTALLATION OF THE SYSTEM;

15 (II) ENGAGE THE SERVICES OF A DULY LICENSED AND REGISTERED  
16 ELECTRICAL CONTRACTOR FAMILIAR WITH THE INSTALLATION AND CODE  
17 REQUIREMENTS OF AN ELECTRIC VEHICLE CHARGING SYSTEM;

18 (III) BEAR THE EXPENSE OF INSTALLATION, INCLUDING COSTS TO  
19 RESTORE ANY COMMON ELEMENTS DISTURBED IN THE PROCESS OF  
20 INSTALLING THE SYSTEM; AND

21 (IV) (A) PROVIDE, WITHIN THE TIME SPECIFIED IN  
22 SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (IV), A CERTIFICATE OF  
23 INSURANCE NAMING THE ASSOCIATION AS AN ADDITIONAL INSURED ON  
24 THE HOMEOWNER'S INSURANCE POLICY FOR ANY CLAIM RELATED TO THE  
25 INSTALLATION, MAINTENANCE, OR USE OF THE SYSTEM OR, IF THE SYSTEM  
26 IS LOCATED ON A COMMON ELEMENT, REIMBURSEMENT TO THE  
27 ASSOCIATION FOR THE ACTUAL COST OF ANY INCREASED INSURANCE



1 PREMIUM AMOUNT ATTRIBUTABLE TO THE SYSTEM, NOTWITHSTANDING  
2 ANY PROVISION TO THE CONTRARY IN THE ASSOCIATION'S DECLARATION,  
3 BYLAWS, OR RULES AND REGULATIONS.

4 (B) A CERTIFICATE OF INSURANCE UNDER SUB-SUBPARAGRAPH (A)  
5 OF THIS SUBPARAGRAPH (IV) MUST BE PROVIDED WITHIN FOURTEEN DAYS  
6 AFTER THE UNIT OWNER RECEIVES THE ASSOCIATION'S CONSENT FOR THE  
7 INSTALLATION. REIMBURSEMENT FOR AN INCREASED INSURANCE PREMIUM  
8 AMOUNT UNDER SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (IV)  
9 MUST BE PROVIDED WITHIN FOURTEEN DAYS AFTER THE UNIT OWNER  
10 RECEIVES THE ASSOCIATION'S INVOICE FOR THE AMOUNT ATTRIBUTABLE  
11 TO THE SYSTEM.

12 (5) IF THE ASSOCIATION CONSENTS TO A UNIT OWNER'S  
13 INSTALLATION OF AN ELECTRIC VEHICLE CHARGING SYSTEM ON A LIMITED  
14 COMMON ELEMENT, INCLUDING A PARKING SPACE, CARPORT, OR GARAGE  
15 STALL, THEN, UNLESS OTHERWISE SPECIFIED IN A WRITTEN CONTRACT OR  
16 IN THE DECLARATION, BYLAWS, OR RULES AND REGULATIONS OF THE  
17 ASSOCIATION:

18 (a) THE UNIT OWNER, AND EACH SUCCESSIVE UNIT OWNER WITH  
19 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT WHERE THE  
20 CHARGING SYSTEM IS INSTALLED, IS RESPONSIBLE FOR ANY COSTS FOR  
21 DAMAGES TO THE SYSTEM, ANY OTHER LIMITED COMMON ELEMENT OR  
22 GENERAL COMMON ELEMENT OF THE COMMON INTEREST COMMUNITY, AND  
23 ANY ADJACENT UNITS, GARAGE STALLS, CARPORTS, OR PARKING SPACES  
24 THAT ARISE OR RESULT FROM THE INSTALLATION, MAINTENANCE, REPAIR,  
25 REMOVAL, OR REPLACEMENT OF THE SYSTEM;

26 (b) EACH SUCCESSIVE UNIT OWNER WITH EXCLUSIVE RIGHTS TO  
27 THE LIMITED COMMON ELEMENT SHALL ASSUME RESPONSIBILITY FOR THE

1 REPAIR, MAINTENANCE, REMOVAL, AND REPLACEMENT OF THE CHARGING  
2 SYSTEM UNTIL THE SYSTEM HAS BEEN REMOVED;

3 (c) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH  
4 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT SHALL AT ALL  
5 TIMES HAVE AND MAINTAIN AN INSURANCE POLICY COVERING THE  
6 OBLIGATIONS OF THE UNIT OWNER UNDER THIS SUBSECTION (5), IS SUBJECT  
7 TO ALL OBLIGATIONS SPECIFIED UNDER SUBPARAGRAPH (IV) OF  
8 PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION, AND SHALL NAME  
9 THE ASSOCIATION AS AN ADDITIONAL INSURED UNDER THE POLICY; AND

10 (d) THE UNIT OWNER AND EACH SUCCESSIVE UNIT OWNER WITH  
11 EXCLUSIVE RIGHTS TO THE LIMITED COMMON ELEMENT IS RESPONSIBLE  
12 FOR REMOVING THE SYSTEM IF REASONABLY NECESSARY OR CONVENIENT  
13 FOR THE REPAIR, MAINTENANCE, OR REPLACEMENT OF THE LIMITED  
14 COMMON ELEMENTS OR GENERAL COMMON ELEMENTS OF THE COMMON  
15 INTEREST COMMUNITY.

16 (6) A CHARGING SYSTEM INSTALLED AT THE UNIT OWNER'S COST  
17 IS PROPERTY OF THE UNIT OWNER. UPON SALE OF THE UNIT, IF THE  
18 CHARGING SYSTEM IS REMOVABLE, THE UNIT OWNER MAY EITHER REMOVE  
19 IT OR SELL IT TO THE BUYER OF THE UNIT OR TO THE ASSOCIATION FOR AN  
20 AGREED PRICE. NOTHING IN THIS SUBSECTION (6) REQUIRES THE BUYER OR  
21 THE ASSOCIATION TO PURCHASE THE CHARGING SYSTEM.

22 (7) AS USED IN THIS SECTION:

23 (a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "CHARGING  
24 SYSTEM" MEANS A DEVICE THAT IS USED TO PROVIDE ELECTRICITY TO A  
25 PLUG-IN ELECTRIC VEHICLE OR PLUG-IN HYBRID VEHICLE, IS DESIGNED TO  
26 ENSURE THAT A SAFE CONNECTION HAS BEEN MADE BETWEEN THE  
27 ELECTRIC GRID AND THE VEHICLE, AND IS ABLE TO COMMUNICATE WITH

1 THE VEHICLE'S CONTROL SYSTEM SO THAT ELECTRICITY FLOWS AT AN  
2 APPROPRIATE VOLTAGE AND CURRENT LEVEL. AN ELECTRIC VEHICLE  
3 CHARGING SYSTEM MAY BE WALL-MOUNTED OR PEDESTAL STYLE, AND  
4 MAY PROVIDE MULTIPLE CORDS TO CONNECT WITH ELECTRIC VEHICLES.  
5 AN ELECTRIC VEHICLE CHARGING SYSTEM MUST BE CERTIFIED BY  
6 UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION, AND  
7 MUST COMPLY WITH THE CURRENT VERSION OF ARTICLE 625 OF THE  
8 NATIONAL ELECTRICAL CODE.

9 (b) "LEVEL 1" MEANS A CHARGING SYSTEM THAT PROVIDES  
10 CHARGING THROUGH A ONE-HUNDRED-TWENTY VOLT AC PLUG WITH A  
11 CORD CONNECTOR THAT MEETS THE SAE INTERNATIONAL J1772  
12 STANDARD OR A SUCCESSOR STANDARD. BASED ON THE BATTERY TYPE  
13 AND VEHICLE, A LEVEL 1 CHARGING SYSTEM ADDS APPROXIMATELY TWO  
14 TO FIVE MILES OF RANGE TO AN ELECTRIC VEHICLE PER HOUR OF CHARGING  
15 TIME.

16 (c) "LEVEL 2" MEANS A CHARGING SYSTEM THAT PROVIDES  
17 CHARGING THROUGH A TWO-HUNDRED-EIGHT TO TWO-HUNDRED-FORTY  
18 VOLT AC PLUG WITH A CORD CONNECTOR THAT MEETS THE SAE  
19 INTERNATIONAL J1772 STANDARD OR A SUCCESSOR STANDARD. BASED ON  
20 THE BATTERY TYPE AND VEHICLE, A LEVEL 2 CHARGING SYSTEM ADDS  
21 ABOUT TEN TO TWENTY MILES OF RANGE TO AN ELECTRIC VEHICLE PER  
22 HOUR OF CHARGING TIME.

23 **SECTION 3.** In Colorado Revised Statutes, 24-38.5-103, amend  
24 (1) as follows:

25 **24-38.5-103. Electric vehicle grant fund - creation -**  
26 **administration.** (1) There is hereby created in the state treasury the  
27 electric vehicle grant fund, referred to in this section as the "fund". The

1 fund shall be used to provide grants to local governments, LANDLORDS OF  
2 MULTI-FAMILY APARTMENT BUILDINGS, AND THE UNIT OWNERS'  
3 ASSOCIATIONS OF COMMON INTEREST COMMUNITIES AS DEFINED IN  
4 ARTICLE 33.3 OF TITLE 38, C.R.S., to install recharging stations for electric  
5 vehicles. The grants shall be prioritized based upon the local  
6 government's PROSPECTIVE RECIPIENTS' POTENTIAL FOR, AND commitment  
7 to, energy efficiency.

8 **SECTION 4. Applicability.** This act takes effect upon passage,  
9 and applies to the installation and use of an electric vehicle charging  
10 system on or after the effective date of this act.

11 **SECTION 5. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.