

## SENATE AMENDMENTS TO B-ENGROSSED HOUSE BILL 3301

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

May 31

1 On page 3 of the printed B-engrossed bill, delete lines 35 through 45.

2 On page 4, delete lines 1 through 22 and insert:

3 **“SECTION 3. (1) Notwithstanding contrary provisions of a declaration or bylaws of a**  
4 **planned community:**

5 **“(a) An owner may submit an application to install an electric vehicle charging station**  
6 **for the personal, noncommercial use of the owner, in compliance with the requirements of**  
7 **this section, in a parking space, on a lot or in any other area subject to the exclusive use**  
8 **of the owner.**

9 **“(b) A homeowners association may not prohibit installation or use of a charging station**  
10 **installed and used in compliance with the requirements of this section.**

11 **“(2) When the owner complies or agrees to comply with the requirements of this section,**  
12 **a homeowners association, or a declarant in lieu of the association, shall approve a com-**  
13 **pleted application within 60 days after the owner submits the application unless the delay in**  
14 **approving the application is based on a reasonable request for additional information.**

15 **“(3) A homeowners association:**

16 **“(a) May require an owner to submit an application before installing a charging station.**

17 **“(b) May require the charging station to meet the architectural standards of the planned**  
18 **community.**

19 **“(c) May impose reasonable charges to recover costs of the review and permitting of a**  
20 **charging station.**

21 **“(d) May impose reasonable restrictions on the installation and use of the charging sta-**  
22 **tion that do not significantly increase the cost of the charging station or significantly de-**  
23 **crease the efficiency or performance of the charging station.**

24 **“(4) Notwithstanding ORS 479.540, the charging station must be installed by a person that**  
25 **holds a license, as defined in ORS 479.530, to act as a journeyman electrician.**

26 **“(5) The owner is responsible for:**

27 **“(a) All costs associated with installation and use of the charging station, including:**

28 **“(A) The cost of electricity associated with the charging station; and**

29 **“(B) The cost of damage to common property and to areas subject to the exclusive use**  
30 **of other owners that results from the installation, use, maintenance, repair, removal or re-**  
31 **placement of the charging station.**

32 **“(b) Disclosure to a prospective buyer of the lot of the existence of the charging station**  
33 **and the related responsibilities of the owner under this section.**

34 **“(6) If the homeowners association reasonably determines that the cumulative use of**  
35 **electricity in the planned community attributable to the installation and use of charging**

1 stations requires the installation of additional infrastructure improvements to provide the  
2 planned community with a sufficient supply of electricity, the association may assess the  
3 cost of the additional improvements against the lot of each owner that has, or will, install  
4 a charging station.

5 “(7)(a) A pedestal, or similar, charging station that is hard-wired into the electrical sys-  
6 tem must be a certified electrical product, as defined in ORS 479.530.

7 “(b) If a charging station, other than one described in paragraph (a) of this subsection,  
8 is not a certified electrical product, the owner shall:

9 “(A) Maintain a homeowner liability insurance policy in an amount not less than \$1  
10 million that includes coverage of the charging station; and

11 “(B) Name the homeowners association as a named additional insured under the policy  
12 with a right to notice of cancellation of the policy.

13 “(8) In any action between an owner and a homeowners association to enforce compliance  
14 with this section, the prevailing party is entitled to an award of attorney fees and costs.”.

15 On page 11, delete lines 5 through 41 and insert:

16 “**SECTION 7.** (1) Notwithstanding contrary provisions of a declaration or bylaws of a  
17 condominium:

18 “(a) A unit owner may submit an application to install an electric vehicle charging sta-  
19 tion for the personal, noncommercial use of the unit owner, in compliance with the require-  
20 ments of this section:

21 “(A) In a space assigned to the unit and used for the parking or storage of automobiles,  
22 trucks, boats, campers or other vehicles or equipment; or

23 “(B) In a limited common element with the written approval of the unit owner of each  
24 unit to which use of the limited common element is reserved.

25 “(b) An association of unit owners may not prohibit installation or use of a charging  
26 station installed and used in compliance with the requirements of this section.

27 “(2) When the unit owner complies or agrees to comply with the requirements of this  
28 section, an association of unit owners, or a declarant in lieu of the association, shall approve  
29 a completed application within 60 days after the unit owner submits the application unless  
30 the delay in approving the application is based on a reasonable request for additional infor-  
31 mation.

32 “(3) An association of unit owners:

33 “(a) May require a unit owner to submit an application before installing a charging sta-  
34 tion.

35 “(b) May require the charging station to meet the architectural standards of the condo-  
36 minium.

37 “(c) May impose reasonable charges to recover costs of the review and permitting of a  
38 charging station.

39 “(d) May impose reasonable restrictions on the installation and use of the charging sta-  
40 tion that do not significantly increase the cost of the charging station or significantly de-  
41 crease the efficiency or performance of the charging station.

42 “(4) Notwithstanding ORS 479.540, the charging station must be installed by a person that  
43 holds a license, as defined in ORS 479.530, to act as a journeyman electrician.

44 “(5) The unit owner is responsible for:

45 “(a) All costs associated with installation and use of the charging station, including:

1           “(A) The cost of electricity associated with the charging station; and

2           “(B) The cost of damage to general common elements, limited common elements and  
3 areas subject to the exclusive use of other unit owners that results from the installation,  
4 use, maintenance, repair, removal or replacement of the charging station.

5           “(b) Disclosure to a prospective buyer of the unit of the existence of the charging station  
6 and the related responsibilities of the unit owner under this section.

7           “(6) If the association of unit owners reasonably determines that the cumulative use of  
8 electricity in the condominium attributable to the installation and use of charging stations  
9 requires the installation of additional infrastructure improvements to provide the condo-  
10 minium with a sufficient supply of electricity, the association may assess the cost of the  
11 additional improvements against the unit of each unit owner that has, or will, install a  
12 charging station.

13           “(7)(a) A pedestal, or similar, charging station that is hard-wired into the electrical sys-  
14 tem must be a certified electrical product, as defined in ORS 479.530.

15           “(b) If a charging station, other than one described in paragraph (a) of this subsection,  
16 is not a certified electrical product, the unit owner shall:

17           “(A) Maintain a homeowner liability insurance policy in an amount not less than \$1  
18 million that includes coverage of the charging station; and

19           “(B) Name the association of unit owners as a named additional insured under the policy  
20 with a right to notice of cancellation of the policy.

21           “(8) In any action between a unit owner and an association of unit owners to enforce  
22 compliance with this section, the prevailing party is entitled to an award of attorney fees and  
23 costs.”.

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