

**PROPOSED AMENDMENTS TO  
B-ENGROSSED HOUSE BILL 3301**

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 declara-**  
4 **tion or bylaws of a planned community:**

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

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

13 **“(2) When the owner complies or agrees to comply with the re-**  
14 **quirements of this section, a homeowners association, or a declarant**  
15 **in lieu of the association, shall approve a completed application within**  
16 **60 days after the owner submits the application unless the delay in**  
17 **approving the application is based on a reasonable request for addi-**  
18 **tional information.**

19 **“(3) A homeowners association:**

20 **“(a) May require an owner to submit an application before install-**  
21 **ing a charging station.**

22 **“(b) May require the charging station to meet the architectural**

1 standards of the planned community.

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

4 “(d) May impose reasonable restrictions on the installation and use  
5 of the charging station that do not significantly increase the cost of  
6 the charging station or significantly decrease the efficiency or per-  
7 formance of the charging station.

8 “(4) Notwithstanding ORS 479.540, the charging station must be in-  
9 stalled by a person that holds a license, as defined in ORS 479.530, to  
10 act as a journeyman electrician.

11 “(5) The owner is responsible for:

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

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

16 “(B) The cost of damage to common property and to areas subject  
17 to the exclusive use of other owners that results from the installation,  
18 use, maintenance, repair, removal or replacement of the charging  
19 station.

20 “(b) Disclosure to a prospective buyer of the lot of the existence of  
21 the charging station and the related responsibilities of the owner un-  
22 der this section.

23 “(6) If the homeowners association reasonably determines that the  
24 cumulative use of electricity in the planned community attributable  
25 to the installation and use of charging stations requires the installa-  
26 tion of additional infrastructure improvements to provide the planned  
27 community with a sufficient supply of electricity, the association may  
28 assess the cost of the additional improvements against the lot of each  
29 owner that has, or will, install a charging station.

30 “(7)(a) A pedestal, or similar, charging station that is hard-wired

1 into the electrical system must be a certified electrical product, as  
2 defined in ORS 479.530.

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

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

8 “(B) Name the homeowners association as a named additional in-  
9 sured under the policy with a right to notice of cancellation of the  
10 policy.

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

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

15 “SECTION 7. (1) Notwithstanding contrary provisions of a declara-  
16 tion or bylaws of a condominium:

17 “(a) A unit owner may submit an application to install an electric  
18 vehicle charging station for the personal, noncommercial use of the  
19 unit owner, in compliance with the requirements of this section:

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

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

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

29 “(2) When the unit owner complies or agrees to comply with the  
30 requirements of this section, an association of unit owners, or a

1 **declarant in lieu of the association, shall approve a completed appli-**  
2 **cation within 60 days after the unit owner submits the application**  
3 **unless the delay in approving the application is based on a reasonable**  
4 **request for additional information.**

5 **“(3) An association of unit owners:**

6 **“(a) May require a unit owner to submit an application before in-**  
7 **stalling a charging station.**

8 **“(b) May require the charging station to meet the architectural**  
9 **standards of the condominium.**

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

12 **“(d) May impose reasonable restrictions on the installation and use**  
13 **of the charging station that do not significantly increase the cost of**  
14 **the charging station or significantly decrease the efficiency or per-**  
15 **formance of the charging station.**

16 **“(4) Notwithstanding ORS 479.540, the charging station must be in-**  
17 **stalled by a person that holds a license, as defined in ORS 479.530, to**  
18 **act as a journeyman electrician.**

19 **“(5) The unit owner is responsible for:**

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

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

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

28 **“(b) Disclosure to a prospective buyer of the unit of the existence**  
29 **of the charging station and the related responsibilities of the unit**  
30 **owner under this section.**

1       **“(6) If the association of unit owners reasonably determines that**  
2 **the cumulative use of electricity in the condominium attributable to**  
3 **the installation and use of charging stations requires the installation**  
4 **of additional infrastructure improvements to provide the condominium**  
5 **with a sufficient supply of electricity, the association may assess the**  
6 **cost of the additional improvements against the unit of each unit**  
7 **owner that has, or will, install a charging station.**

8       **“(7)(a) A pedestal, or similar, charging station that is hard-wired**  
9 **into the electrical system must be a certified electrical product, as**  
10 **defined in ORS 479.530.**

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

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

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

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

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