

House Bill 2330

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Department of Administrative Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits, rather than requires, state agency to set price for using device that is located on agency premises and that provides electricity to public for motor vehicles that use electricity for propulsion at specific level.

Becomes operative 91 days after effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to charges for electricity delivered to the public for electrically powered motor vehicles;
3 creating new provisions; amending ORS 276.255; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 276.255 is amended to read:

6 276.255. (1) A state agency may[:]

7 [(a)] locate, on premises the state agency owns or controls, devices or facilities that the state
8 agency installs, or has installed, specifically to deliver electricity to the public for motor vehicles
9 that use electricity for propulsion.[: and]

10 [(b)] **(2) A state agency may** contract with a vendor that will distribute, dispense or otherwise
11 make available electricity from devices or facilities described in [*paragraph (a) of this subsection*]
12 **subsection (1) of this section.**

13 [(2)(a)] **(3)(a)** The Oregon Department of Administrative Services may install or have installed
14 devices or facilities described in subsection [(1)(a)] **(1)** of this section at not more than 10 locations
15 during a biennium.

16 (b) A state agency other than the department may install or have installed devices or facilities
17 described in subsection [(1)(a)] **(1)** of this section at not more than five locations during a biennium.

18 (c) Notwithstanding paragraphs (a) and (b) of this subsection, a state agency may install or have
19 installed devices or facilities described in subsection [(1)(a)] **(1)** of this section at more than the
20 number of locations specified in paragraph (a) or (b) of this subsection if the state agency obtains
21 a grant to support the installations at each additional location.

22 [(3)] **(4)** A state agency that contracts with a vendor under subsection [(1)] **(2)** of this section
23 shall require in the contract that the vendor:

24 (a) Indemnify the state agency against any claim related to or arising out of the vendor's oper-
25 ations on premises that the state agency owns or controls; and

26 (b) Obtain a policy of liability insurance in an amount sufficient to pay foreseeable claims that
27 relate to or arise out of the vendor's operations, name the state agency as an insured party in the
28 policy and maintain coverage under the policy during the term of the contract and for two years
29 after the contract term expires.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 [(4)] (5) A state agency may by order establish and adjust prices for using devices or facilities
2 described in subsection [(1)(a)] (1) of this section that are located on premises the state agency owns
3 or controls. The state agency [shall] **may** set the price for using the devices or facilities at a level
4 that does not:

5 (a) Subsidize the operations of a private entity or the cost of electricity to the public; or

6 (b) Substantially exceed the costs to the state agency of making the electricity available to the
7 public.

8 **SECTION 2. (1) The amendments to ORS 276.255 by section 1 of this 2017 Act become**
9 **operative 91 days after the effective date of this 2017 Act.**

10 **(2) The director of a state agency that is subject to ORS 276.255 may adopt rules and take**
11 **any other action before the operative date specified in subsection (1) of this section that is**
12 **necessary to enable the director to exercise, on and after the operative date specified in**
13 **subsection (1) of this section, all of the duties, functions and powers conferred on the direc-**
14 **tor by the amendments to ORS 276.255 by section 1 of this 2017 Act.**

15 **SECTION 3. This 2017 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
17 **on its passage.**

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