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TO: Chair Nancy Nathanson
House Committee on Revenue

FR: Anne Smart
Amanda Dalton
On behalf of ChargePoint

RE: Support for HB 3324

April 1, 2019

ChargePoint offers our support for HB 3324.

For the past several months, we have worked with the Department of Administrative Services and the Treasury Department to identify a fix to a recent interpretation that has challenged existing compliance for third-party networked electric vehicle charging stations under Oregon's public gift law.

ChargePoint and some of our competitors have sold charging stations that are owned by the State. These stations are networked to enable the State to monitor to the stations, manage energy, and set a fee for the charging service. Our business model, and that of many of our competitors, is to manage these network services and collect payment from drivers at the station to remit those fees back to the station owner (in this case the State). This ensures that drivers have the same charging experience on any station across that vendor's national network and allows for simple and secure payment processing. Recent interpretation of the public gift law under ORS 295.101 finds that the vendor is in violation of the public gift law by holding those funds and then remitting fees at a later date to the State. This interpretation has sweeping impact on all network charging vendors, applies to all State, county, local, public building EV stations, and could impact DAS's ability to charge fees, and even apply to Appendix D stations currently being pursued by ODOT.

We have identified the solution as outlined in HB 3324 by simply amending the public gift law to allow for use of third-party electric vehicle networked payment services.

ABOUT: ChargePoint is the largest electric vehicle charging network in North America, with over 62,000 charging spots, including over 615 public and semi-public ports in Oregon. Every 2 seconds, a driver connects to a ChargePoint station, and by initiating over 53 million charging sessions, to date ChargePoint drivers have driven over 1.3 billion gas free miles.