

**B-Engrossed**  
**House Bill 2510**

Ordered by the Senate May 30  
Including House Amendments dated March 27 and Senate Amendments  
dated May 30

Sponsored by Representative BARNHART; Representatives HELM, SOLLMAN (Presession filed.)

**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.

Authorizes commercial tenant to install on premises and use electric vehicle charging station. Declares charging station to be personal property of tenant unless different result is negotiated between parties.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to electric vehicle charging stations; and declaring an emergency.

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

**SECTION 1. (1) As used in this section:**

(a) **"Landlord" means the owner, lessor or sublessor of a rental unit or the building or premises of which it is a part, or a person who is authorized by the owner, lessor or sublessor to manage the premises or to enter into a rental agreement.**

(b) **"Rental unit" means a structure or part of a structure that is used as a commercial space by a tenant.**

(c) **"Tenant" means an individual or organization entitled under a rental agreement to occupy a rental unit to the exclusion of others.**

(2) **A tenant may submit an application to install an electric vehicle charging station for the use of the tenant, employees of the tenant or customers of the tenant, in compliance with the requirements of this section, in, or accessible to, any parking space assigned to the tenant or the rental unit of the tenant.**

(3) **A landlord may prohibit installation or use of a charging station installed and used in compliance with the requirements of this section only if the premises do not have at least one parking space per rental unit.**

(4) **When the tenant complies or agrees to comply with the requirements of this section, the landlord shall approve a completed application within 60 days after the tenant submits the application unless the delay in approving the application is based on a reasonable request for additional information.**

(5) **A landlord may require:**

(a) **A tenant to obtain the landlord's written approval of a person the tenant employs to install and remove the charging station.**

(b) **A charging station installed by a tenant to be a certified electrical product, as defined**

**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 in ORS 479.530.

2 (c) A person employed by a tenant to install the charging station to post a payment bond  
3 and a performance bond in an amount equal to at least 125 percent of the anticipated cost  
4 of work.

5 (d) A tenant to comply with reasonable restrictions on the installation and use of the  
6 charging station that do not significantly increase the cost of the charging station or sig-  
7 nificantly decrease the efficiency or performance of the charging station.

8 (e) A charging station installed by a tenant to meet the architectural standards of the  
9 premises.

10 (f) The owner of the charging station to:

11 (A)(i) Maintain a renter's liability insurance policy in an amount not less than \$1 million  
12 that includes coverage of the charging station; and

13 (ii) Name the landlord as a named additional insured under the policy with a right to  
14 prior notice of cancellation of or material change to the policy; or

15 (B) If the owner is unable to obtain an insurance policy described in subparagraph (A)(i)  
16 of this paragraph, reimburse the landlord for the cost of maintaining a liability insurance  
17 policy that includes coverage of the charging station.

18 (6) Notwithstanding ORS 479.540, the charging station must be installed and removed by  
19 a person that holds a license, as defined in ORS 479.530, to act, at a minimum, as a  
20 journeyman electrician.

21 (7) Unless a landlord and tenant negotiate a different outcome:

22 (a) A charging station installed under this section is deemed to be the personal property  
23 of the tenant.

24 (b) The tenant is responsible for all costs associated with installation and use of the  
25 charging station, including:

26 (A) The cost of review and permitting of the charging station;

27 (B) The cost of electricity associated with the charging station; and

28 (C) The cost of damage to the premises that results from the installation, use, mainte-  
29 nance, repair, removal or replacement of the charging station.

30 (c) Upon termination of the rental agreement, the landlord may require the tenant to:

31 (A) Remove the charging station;

32 (B) Cap all exposed wires and conduit; and

33 (C) Restore the premises, including but not limited to the cleanliness and safety of the  
34 premises, to the condition of the premises before the installation of the charging station.

35 (8) If the landlord reasonably determines that the cumulative use of electricity on the  
36 premises attributable to the installation and use of charging stations requires the installa-  
37 tion of additional infrastructure improvements to provide the premises with a sufficient  
38 supply of electricity, the landlord shall assess and collect, and each tenant that has installed  
39 or will install a charging station shall pay, the cost of the additional improvements.

40 (9) In any action between a landlord and tenant to enforce compliance with this section,  
41 the prevailing party is entitled to an award of attorney fees and costs.

42 **SECTION 2.** This 2017 Act being necessary for the immediate preservation of the public  
43 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect  
44 on its passage.