

# House Bill 2510

Sponsored by Representative BARNHART; Representative HELM (Pre-session 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 **as introduced**.

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

1  
2 Relating to electric vehicle charging stations; and declaring an emergency.

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

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

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

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

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

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

16 (3) **A landlord may not prohibit installation or use of a charging station installed and used**  
17 **in compliance with the requirements of this section, unless:**

18 (a) **The premises do not have at least one parking space per rental unit; and**

19 (b) **The landlord provides at least \_\_\_\_\_ electric vehicle charging stations per rental**  
20 **unit for the use of tenants, employees of tenants or customers of tenants.**

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

25 (5) **A landlord:**

26 (a) **May require a tenant to submit an application before installing a charging station.**

27 (b) **May require the charging station to meet the architectural standards of the premises.**

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

30 (d) **May impose reasonable restrictions on the installation and use of the charging station**

**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 that do not significantly increase the cost of the charging station or significantly decrease  
2 the efficiency or performance of the charging station.

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

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

6 (a) A charging station installed under this section is deemed to be the personal property  
7 of the tenant;

8 (b) The tenant must remove the charging station and restore the premises to the condi-  
9 tion before installation of the charging station upon termination of the rental agreement;  
10 and

11 (c) The tenant is responsible for all costs associated with installation and use of the  
12 charging station, including:

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

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

16 (8) If the landlord reasonably determines that the cumulative use of electricity on the  
17 premises attributable to the installation and use of charging stations requires the installa-  
18 tion of additional infrastructure improvements to provide the premises with a sufficient  
19 supply of electricity, the landlord may assess the cost of the additional improvements to each  
20 tenant that has installed, or will install, a charging station.

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

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

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

27 (B) Name the landlord as a named additional insured under the policy with a right to  
28 notice of cancellation of the policy.

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

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