

**Enrolled**  
**House Bill 2290**

Sponsored by Representative WILDE; Representatives DEXTER, EVANS, SCHOUTEN, SOLLMAN  
(Presession filed.)

CHAPTER .....

AN ACT

Relating to transportation electrification; creating new provisions; and amending ORS 757.357.

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

**SECTION 1. (1) The State Parks and Recreation Department shall allow for the installation and service of public electric vehicle charging stations in parking spaces that are part of the facilities of the system of state parks, including parks, park facilities, ocean shores, scenic waterways, trails and historic sites throughout the State of Oregon.**

**(2) The department shall implement subsection (1) of this section in a manner that:**

**(a) Is consistent with the goals set forth in ORS 283.398; and**

**(b) Takes into consideration:**

**(A) The recommendations in the report required by ORS 283.401;**

**(B) The availability of infrastructure to deliver electricity to electric vehicle charging stations in the parking spaces described in subsection (1) of this section; and**

**(C) Opportunities to contract with third-party entities.**

**SECTION 2. (1) The Parks and Recreation Transportation Electrification Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Parks and Recreation Transportation Electrification Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the State Parks and Recreation Department to carry out section 1 of this 2021 Act.**

**(2) The department may seek out and receive gifts, grants, contributions, bequests or other donations of any kind from any public or private source for use in carrying out the purposes of section 1 of this 2021 Act. Moneys received under this subsection shall be deposited in the Parks and Recreation Transportation Electrification Fund.**

**SECTION 3. ORS 757.357 is added to and made a part of ORS chapter 757.**

**SECTION 4. ORS 757.357 is amended to read:**

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

**(a) "Electric company" has the meaning given that term in ORS 757.600.**

**(b)(A) "Infrastructure measures" includes, but is not limited to, investments in, expenses related to or rebates for:**

**(i) Distribution system infrastructure that supports transportation electrification;**

**(ii) Communication and control technologies that support transportation electrification;**

**and**

**(iii) Behind the meter infrastructure that supports transportation electrification and is owned by an electric company or by a customer.**

**(B) “Infrastructure measures” does not include investments in or expenses related to education and outreach activities related to transportation electrification, or other transportation electrification-related activities determined by the Public Utility Commission to be separate and distinct from the development of infrastructure.**

**(c) “Retail electricity consumer” has the meaning given that term in ORS 757.600.**

[(b)] **(d) “Transportation electrification” means:**

**(A)** The use of electricity from external sources to provide power to all or part of a vehicle;

**(B)** Programs related to developing the use of electricity for the purpose described in subparagraph (A) of this paragraph; [and]

**(C)** Infrastructure [investments] **measures** related to developing the use of electricity for the purpose described in subparagraph (A) of this paragraph[.]; **and**

**(D) Programs related to supporting the adoption and service of vehicles powered as described in subparagraph (A) of this paragraph.**

[(c)] **(e) “Vehicle” means a vehicle, vessel, train, boat or any other equipment that is mobile.**

**(2)** The Legislative Assembly finds and declares that:

**(a)** Transportation electrification is necessary to reduce petroleum use, achieve optimum levels of energy efficiency and carbon reduction, meet federal and state air quality standards, meet this state’s greenhouse gas emissions reduction goals described in ORS 468A.205 and improve the public health and safety;

**(b)** Widespread transportation electrification requires that electric companies increase access to the use of electricity as a transportation fuel;

**(c)** Widespread transportation electrification requires that electric companies increase access to the use of electricity as a transportation fuel in low and moderate income communities;

**(d)** Widespread transportation electrification should stimulate innovation and competition, provide consumers with increased options in the use of charging equipment and in procuring services from suppliers of electricity, attract private capital investments and create high quality jobs in this state;

**(e)** Transportation electrification and the purchase and use of electric vehicles should assist in managing the electrical grid, integrating generation from renewable energy resources and improving electric system efficiency and operational flexibility, including the ability of an electric company to integrate variable generating resources;

**(f)** Deploying transportation electrification and electric vehicles creates the opportunity for an electric company to propose, to the [Public Utility] commission, that a net benefit for the customers of the electric company is attainable; and

**(g)** Charging electric vehicles in a manner that provides benefits to electrical grid management affords fuel cost savings for vehicle drivers.

**(3)** The [Public Utility] commission shall direct each electric company to file applications, in a form and manner prescribed by the commission, for programs to [accelerate] **support** transportation electrification. A program proposed by an electric company may include prudent investments in or customer rebates for electric vehicle charging and related infrastructure.

**(4) The commission may allow an electric company to recover costs from retail electricity consumers for prudent infrastructure measures to support transportation electrification if the infrastructure measures are consistent with and meet the requirements of subsection (5) of this section.**

**(5) If undertaken by an electric company, an infrastructure measure to support transportation electrification is a utility service and a benefit to utility customers if the infrastructure measure can be reasonably anticipated to:**

**(a) Support reductions of transportation sector greenhouse gas emissions over time; and**

**(b) Benefit the electric company’s customers in ways that may include, but need not be limited to:**

**(A) Distribution or transmission management benefits;**

**(B) Revenues to utilities from electric vehicle charging to offset utilities' fixed costs that may otherwise be charged to customers;**

**(C) System efficiencies or other economic values inuring to the benefit of customers over the long term; or**

**(D) Increased customer choice through greater transportation electrification infrastructure deployment to increase availability of and access to public and private electric vehicle charging stations.**

[(4)] **(6)** When considering a transportation electrification program and determining cost recovery for investments and other expenditures **that are not infrastructure measures and that are** related to a program proposed by an electric company under subsection (3) of this section, the commission shall consider whether the investments and other expenditures:

(a) Are within the service territory of the electric company;

(b) Are prudent as determined by the commission;

(c) Are reasonably expected to be used and useful as determined by the commission;

(d) Are reasonably expected to enable the electric company to support the electric company's electrical system;

(e) Are reasonably expected to improve the electric company's electrical system efficiency and operational flexibility, including the ability of the electric company to integrate variable generating resources; and

(f) Are reasonably expected to stimulate innovation, competition and customer choice in electric vehicle charging and related infrastructure and services.

**(7) In undertaking infrastructure measures that involve the installation of one or more electric vehicle charging stations, an electric company must allow for customer choice in the selection of the type of electric vehicle charging station to be installed, subject to equipment eligibility as determined by the electric company. An electric company may prequalify multiple types of eligible electric vehicle charging stations based on criteria determined by the electric company.**

**(8) Nothing in this section restricts or prohibits a corporation, company, partnership, individual or association of individuals exempt from regulation under ORS 757.005 (1)(b)(G) from furnishing electricity to any number of customers for use in motor vehicles.**

[(5)(a)] **(9)(a)** Tariff schedules and rates allowed pursuant to [subsection (3)] **subsections (3) to (6)** of this section:

(A) May allow a return of and a return on an investment made by an electric company under [subsection (3)] **subsections (3) to (6)** of this section; and

(B) Shall be recovered from [all customers] **the retail electricity consumers** of an electric company in a manner [that is similar to the recovery of distribution system investments] **determined by the commission.**

(b) A return on investment allowed under this subsection may be earned for a period of time that does not exceed the depreciation schedule of the investment approved by the commission. When an electric company's investment is fully depreciated, the commission may authorize the electric company to donate the electric vehicle charging infrastructure to the owner of the property on which the infrastructure is located.

[(6)] **(10)** For purposes of ORS 757.355, electric vehicle charging infrastructure provides utility service to the customers of an electric company.

[(7)] **(11)** In authorizing programs described in subsection (3) of this section, the commission shall review data concerning current and future adoption of electric vehicles and utilization of electric vehicle charging infrastructure. If market barriers unrelated to the investment **or expenditures** made by an electric company prevent electric vehicles from adequately utilizing available electric vehicle charging infrastructure, the commission may not permit additional investments in **or expenditures related to supporting** transportation electrification without a reasonable showing that the investments **or expenditures** would not result in long-term stranded costs recoverable from the [customers] **retail electricity consumers** of electric companies.

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**Passed by House April 15, 2021**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 3, 2021**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2021

**Approved:**

.....M,....., 2021

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2021

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Shemia Fagan, Secretary of State