A BILL FOR AN ACT

CONCERNING A REQUIREMENT THAT BUILDERS OF NEW RESIDENCES OFFER BUYERS THE OPTION TO ACCOMMODATE ELECTRIC VEHICLE CHARGING SYSTEMS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Under existing law, builders must offer a "solar prewire" option to purchasers of certain newly constructed residences. The bill applies a similar requirement to facilitate the installation of electric vehicle charging systems by purchasers of new residences, both in traditional detached, single-family homes and also in buildings that contain...
owner-occupied condominium units.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 38-35.7-106.5 as follows:

38-35.7-106.5. Electric vehicle charging prewire option - definitions. (1) (a) EVERY PERSON THAT BUILDS A NEW RESIDENCE FOR WHICH A BUYER IS UNDER CONTRACT SHALL OFFER THE BUYER THE OPPORTUNITY TO HAVE THE RESIDENCE'S ELECTRICAL SYSTEM INCLUDE ONE OF THE FOLLOWING:

(I) AN ELECTRIC VEHICLE CHARGING SYSTEM;

(II) UPGRADES OF WIRING PLANNED BY THE BUILDER TO ACCOMMODATE FUTURE INSTALLATION OF SUCH A SYSTEM; OR

(III) A CHASE OR CONDUIT, OR BOTH, CONSTRUCTED TO ALLOW EASE OF FUTURE INSTALLATION OF THE NECESSARY WIRING FOR SUCH A SYSTEM.

(b) THE OFFER REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION SHALL BE MADE IN ACCORDANCE WITH THE BUILDER'S CONSTRUCTION SCHEDULE FOR THE RESIDENCE. IN THE CASE OF PREFABRICATED OR MANUFACTURED HOMES, "CONSTRUCTION SCHEDULE" INCLUDES THE SCHEDULE FOR COMPLETION OF PREFABRICATED WALLS OR OTHER SUBASSEMBLIES.

(2) NOTHING IN THIS SECTION PRECLUDES A PERSON THAT BUILDS A NEW RESIDENCE FROM:

(a) SUBJECTING ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES TO THE SAME TERMS AND CONDITIONS AS OTHER UPGRADES, INCLUDING CHARGES RELATED TO UPGRADES, DEPOSITS REQUIRED FOR UPGRADES,
DEADLINES, AND CONSTRUCTION TIMELINES;

(b) SELECTING THE CONTRACTORS THAT WILL COMPLETE THE INSTALLATION OF ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES;

(c) STIPULATING IN THE PURCHASE AGREEMENT OR SALES CONTRACT THAT ELECTRIC VEHICLE CHARGING SYSTEM UPGRADES ARE BASED ON TECHNOLOGY AVAILABLE AT THE TIME OF INSTALLATION AND SUCH UPGRADES MIGHT NOT SUPPORT ALL ELECTRIC VEHICLE CHARGING SYSTEMS OR SYSTEMS INSTALLED AT A FUTURE DATE, AND THAT THE PERSON THAT BUILDS A NEW RESIDENCE IS NOT LIABLE FOR ANY ADDITIONAL UPGRADES, RETROFITS, OR OTHER ALTERATIONS TO THE RESIDENCE THAT MAY BE NECESSARY TO ACCOMMODATE AN ELECTRIC VEHICLE CHARGING SYSTEM INSTALLED AT A FUTURE DATE.

(3) AS USED IN THIS SECTION:

(a) "ELECTRIC VEHICLE CHARGING SYSTEM" OR "SYSTEM" MEANS:

(I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN SECTION 38-12-601 (6)(a) WITH A POWER CAPACITY OF AT LEAST 6.2 KILOWATTS; OR

(II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR BATTERY-POWERED ELECTRIC VEHICLES THAT COMPLIES WITH APPLICABLE INDUSTRY STANDARDS.

(b) "RESIDENCE" MEANS A SINGLE-FAMILY, OWNER-OCCUPIED DWELLING, WHETHER DETACHED OR A CONDOMINIUM UNIT, AS DESCRIBED IN SECTION 38-33-103 (1).

(4) THIS SECTION APPLIES TO CONTRACTS ENTERED INTO ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION TO PURCHASE NEW RESIDENCES BUILT ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION; EXCEPT THAT THIS SECTION DOES NOT APPLY TO UNOCCUPIED HOMES.
SERVING AS SALES INVENTORY OR MODEL HOMES.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.