

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 23, 2024
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB24-208 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 22, strike "NUMBER OF POWER SUPPLY
2 DEVICES" and substitute "AMOUNT OF ELECTRIC VEHICLE SUPPLY
3 EQUIPMENT".
- 4 Page 3, line 25, after "SYNCHRONIZE" insert "RETAIL".
- 5 Page 3, strike line 27.
- 6 Page 4, strike lines 1 through 5 and substitute "CONSUMERS. THE
7 THIRD-PARTY TESTING AND VERIFICATION PROCESS DIRECTLY BENEFITS
8 ELECTRIC VEHICLE CHARGING STATION RETAILERS BY IDENTIFYING ISSUES
9 WITH RETAIL CHARGING STATIONS AND MINIMIZING SERVICE DISRUPTION
10 FOR THEIR CONSUMERS. IN ADDITION, BOTH RETAILERS AND CONSUMERS
11 BENEFIT FROM ELECTRIC VEHICLE CHARGING STATIONS BEING TESTED BY
12 A THIRD-PARTY ENTITY. BY PROVIDING A DIRECT BENEFIT TO FEE PAYERS,
13 THE ENTERPRISE OPERATES AS A BUSINESS IN ACCORDANCE WITH THE
14 DETERMINATION OF THE COLORADO COURT OF APPEALS IN *TABOR FOUND.*
15 *V. COLO. BRIDGE ENTER.*, 2014 COA 106, 353 P.3d 896."
- 16 Page 5, strike line 20 and substitute "THAT FEATURES ELECTRIC VEHICLE
17 SUPPLY EQUIPMENT THAT SUPPLIES".
- 18 Page 5, strike lines 23 and 24 and substitute "PERSON WHO OWNS OR
19 OPERATES A RETAIL ELECTRIC VEHICLE CHARGING STATION. "ELECTRIC
20 VEHICLE CHARGING STATION RETAILER" DOES NOT INCLUDE ANY ENTITY
21 THAT IS EXEMPT PURSUANT TO RULES PROMULGATED UNDER SUBSECTION
22 (10)(a) OF THIS SECTION."

- 1 Page 5, after line 24 insert:
- 2 "(g) "ELECTRIC VEHICLE SUPPLY EQUIPMENT" MEANS EQUIPMENT
3 THAT ENABLES A CONSUMER TO CONNECT AND CHARGE AN ELECTRIC
4 VEHICLE AT AN ELECTRIC VEHICLE CHARGING STATION."
- 5 Reletter succeeding paragraphs accordingly.
- 6 Page 6, line 1, strike "(9)" and substitute "(8)".
- 7 Page 6, strike lines 2 through 4.
- 8 Reletter succeeding paragraph accordingly.
- 9 Page 7, line 6, strike "COMMUNITY" and substitute "INDUSTRY".
- 10 Page 7, strike lines 8 through 10 and substitute:
- 11 "(b) THE MEMBERS OF THE BOARD APPOINTED BY THE GOVERNOR
12 PURSUANT TO SUBSECTION (4)(a)(III) OF THIS SECTION SHALL EACH SERVE
13 TERMS OF THREE YEARS; EXCEPT THAT THE FOLLOWING MEMBERS SHALL
14 SERVE THE FOLLOWING INITIAL TERMS AS DETERMINED BY THE
15 GOVERNOR:"
- 16 Page 7, line 24, strike "CONSUMERS." and substitute "CONSUMERS AND TO
17 PROVIDE TESTING AND VERIFICATION OF RETAIL ELECTRIC VEHICLE
18 CHARGING STATIONS."
- 19 Page 8, line 2, strike "(7)" and substitute "(6)" and strike "AND".
- 20 Page 8, strike lines 5 through 17 and substitute "(7) OF THIS SECTION;
21 (c) SUPERVISE THE ELECTRIC VEHICLE ENTERPRISE;
22 (d) ACQUIRE, HOLD TITLE TO, AND DISPOSE OF REAL AND
23 PERSONAL PROPERTY AS NECESSARY IN THE EXERCISE OF ITS POWERS AND
24 PERFORMANCE OF ITS DUTIES;
25 (e) CONTRACT WITH ANY PUBLIC OR PRIVATE ENTITY;
26 (f) REQUEST THE STATE TREASURER TO ACT AS ADVISOR TO THE
27 ENTERPRISE TO ISSUE SUCH BONDS AND NOTES AS ARE NECESSARY TO
28 MAINTAIN ADEQUATE BALANCES IN THE FUND; AND
29 (g) HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY".
- 30 Renumber succeeding subsections accordingly.

- 1 Page 8, line 24, after "ARTICLE 20." insert "ALL FEE REVENUE SHALL BE
2 CREDITED TO THE FUND."
- 3 Page 9, strike line 1 and substitute "AMOUNT OF ELECTRIC VEHICLE
4 SUPPLY EQUIPMENT USED AT SUCH STATIONS."
- 5 Page 9, line 5, strike "(8)" and substitute "(7)".
- 6 Page 9, line 10, strike "(7)" and substitute "(6)".
- 7 Page 9, line 11, strike "(8)" and substitute "(7)".
- 8 Page 9, line 12, strike "(9)(b)" and substitute "(8)(b)".
- 9 Page 9, line 22, strike "(9)(b)" and substitute "(8)(b)".
- 10 Page 10, line 18, strike "(9)(b)(I)" and substitute "(8)(b)(I)".
- 11 Page 10, line 25, strike "(9)(b)" and substitute "(8)(b)".
- 12 Page 11, strike lines 1 through 15 and substitute:
13 "PROMULGATE RULES ESTABLISHING MINIMUM STANDARDS AS PUBLISHED
14 IN THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
15 HANDBOOK 44, AS AMENDED, RELATED TO SPECIFICATIONS AND
16 TOLERANCES FOR RETAIL ELECTRIC VEHICLE CHARGING EQUIPMENT AND
17 METHODS OF RETAIL SALE AT PUBLICLY ACCESSIBLE ELECTRIC VEHICLE
18 CHARGING STATIONS TO PROMOTE UNIFORMITY IN THE MARKETPLACE. THE
19 RULES DO NOT APPLY TO:
- 20 (I) THE USE OF ANY MEASURE OR MEASURING DEVICE THAT IS
21 OWNED, MAINTAINED, AND USED BY A PUBLIC UTILITY, A MUNICIPALLY
22 OWNED UTILITY, OR A COOPERATIVE ELECTRIC ASSOCIATION FOR THE SOLE
23 PURPOSE OF MEASURING ELECTRICITY;
- 24 (II) ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT IS USED SOLELY
25 FOR DISPENSING ELECTRICAL ENERGY IN CONNECTION WITH OPERATIONS
26 IN WHICH THE AMOUNT DISPENSED DOES NOT AFFECT CONSUMER CHARGES
27 OR COMPENSATION; OR
- 28 (III) THE WHOLESALE DELIVERY OF ELECTRICITY.
- 29 (b) THE ENTERPRISE MAY CONSULT WITH THE DIVISION OF OIL AND
30 PUBLIC SAFETY AND THE COLORADO ENERGY OFFICE IN ORDER TO
31 PROMULGATE THE RULES.
- 32 (c) THE ENTERPRISE SHALL BEGIN IMPLEMENTING THE RULES ON
33 JULY 1, 2025, FOR ALL ELECTRIC VEHICLE CHARGING STATIONS INSTALLED
34 BEFORE, ON, OR AFTER JULY 1, 2025. ELECTRIC VEHICLE CHARGING

- 1 STATIONS INSTALLED PRIOR TO JULY 1, 2025, SHALL COMPLY WITH THE
- 2 DEFERRED SCHEDULE ESTABLISHED IN RULES."

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