

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0218.01 Yelana Love x2295

HOUSE BILL 24-1161

HOUSE SPONSORSHIP

Ortiz,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING BASIC ACCESS FOR INDIVIDUALS WITH DISABILITIES**
102 **USING MOTOR VEHICLES.**

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>.)

Section 1 of the bill requires a car sharing program operating in the state to ensure, on and after January 1, 2028, that for each shared car available through the program, the program shall indicate the car's accessibility modifications. A car sharing program that makes a reasonable effort to obtain accurate information from the shared car owner regarding any modification for accessibility is not liable for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

incorrect or false information provided by the shared car owner.

Sections 2 and 3 require that on and after January 1, 2026, a local government may approve the new construction or remodel of an electric vehicle charging station only if the station is built with a minimum of 120 inches of width with 36 inch access aisles and at a height accessible for an individual using a wheelchair (accessible charging station). By January 1, 2028, all electric vehicle charging station locations with more than one charging station must provide the same proportion of accessible charging stations as the federal "Americans with Disabilities Act" requires of parking spaces.

Section 4 clarifies that an individual shall not block reasonable access to reserved parking by any means. A peace officer is required to investigate a complaint that accessible parking has been blocked within a reasonable time.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 6-1-1215 as
3 follows:

4 **6-1-1215. Shared car accessibility.** (1) EFFECTIVE JANUARY 1,
5 2028, AT THE TIME A SHARED CAR IS FIRST MADE AVAILABLE THROUGH A
6 CAR SHARING PROGRAM, THE PROGRAM MUST ENABLE THE SHARED CAR
7 OWNER TO INDICATE WHETHER THE SHARED CAR HAS BEEN MODIFIED FOR
8 ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.

9 (2) IF A SHARED CAR OWNER HAS INDICATED THAT THE SHARED
10 CAR HAS BEEN MODIFIED FOR ACCESSIBILITY PURSUANT TO SUBSECTION
11 (1) OF THIS SECTION, THE SHARED CAR OWNER SHALL LIST WHAT
12 MODIFICATIONS HAVE BEEN MADE, INCLUDING WHAT ADAPTIVE
13 EQUIPMENT IS AVAILABLE.

14 (3) A CAR SHARING PROGRAM THAT MAKES A REASONABLE EFFORT
15 TO OBTAIN ACCURATE INFORMATION FROM A SHARED CAR OWNER
16 REGARDING ANY MODIFICATION FOR ACCESSIBILITY IS NOT LIABLE FOR
17 INCORRECT OR FALSE INFORMATION PROVIDED BY THE SHARED CAR

1 OWNER.

2

3 **SECTION 2.** In Colorado Revised Statutes, 24-38.5-401, **amend**

4 (6)(b)(II) as follows:

5 **24-38.5-401. Energy code board - appointment - creation -**

6 **duties - definitions - repeal.** (6) (b) The model low energy and carbon

7 code developed by the energy code board must apply to commercial and

8 residential buildings and must:

9 (II) Include the model electric ready and solar ready code

10 language developed for adoption by the energy code board pursuant to

11 subsection (5) of this section, and modified as the energy code board

12 deems appropriate, INCLUDING ACCESSIBILITY REQUIREMENTS FOR EV

13 CAPABLE, EV READY, AND EV SUPPLY EQUIPMENT INSTALLED PARKING

14 SPACES THAT TAKE INTO CONSIDERATION DESIGN RECOMMENDATIONS FOR

15 ACCESSIBLE ELECTRIC VEHICLE CHARGING STATIONS PUBLISHED BY THE

16 UNITED STATES ACCESS BOARD AND ANY APPLICABLE REGULATIONS

17 ISSUED BY THE FEDERAL DEPARTMENT OF JUSTICE OR DEPARTMENT OF

18 TRANSPORTATION IMPLEMENTING THE FEDERAL "AMERICANS WITH

19 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED;

20 **SECTION 3.** In Colorado Revised Statutes, 30-28-212, **add** (4)

21 as follows:

22 **30-28-212. Charging station restriction rules prohibited -**

23 **accessible charging stations - definitions.** (4) (a) FOR AN ELECTRIC

24 VEHICLE CHARGING STATION CONSTRUCTED OR ALTERED ON OR AFTER

25 JANUARY 1, 2025, AN ELECTRIC VEHICLE CHARGING STATION MUST:

26 (I) INCORPORATE ACCESSIBLE DESIGN RECOMMENDATIONS

27 PUBLISHED BY THE ACCESS BOARD, OR ITS SUCCESSOR ORGANIZATION,

1 REGARDLESS OF WHETHER A FEDERAL AGENCY PROMULGATED RULES
2 INCORPORATING THE RECOMMENDATIONS AND ANY APPLICABLE
3 REGULATIONS ISSUED BY THE FEDERAL DEPARTMENT OF JUSTICE OR
4 DEPARTMENT OF TRANSPORTATION IMPLEMENTING THE FEDERAL
5 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET
6 SEQ., AS AMENDED, OR COMPLY TO THE MAXIMUM EXTENT FEASIBLE IF
7 FULL COMPLIANCE WOULD CAUSE AN UNDUE BURDEN; AND

8 (II) PROVIDE AT LEAST FIVE PERCENT ACCESSIBLE VEHICLE
9 CHARGING SPACES OF THE TOTAL NUMBER OF VEHICLE CHARGING SPACES,
10 BUT NOT FEWER THAN ONE ACCESSIBLE VEHICLE CHARGING SPACE UNTIL
11 THE ACCESS BOARD PUBLISHES PROPORTIONAL REQUIREMENTS,
12 REGARDLESS OF WHETHER A FEDERAL AGENCY PROMULGATED RULES
13 INCORPORATING THE PROPORTIONAL REQUIREMENTS. WHEN THE ACCESS
14 BOARD PUBLISHES PROPORTIONAL REQUIREMENTS, AN ELECTRIC VEHICLE
15 CHARGING STATION MUST COMPLY WITH THE REQUIREMENTS PUBLISHED
16 BY THE ACCESS BOARD.

17 (b) AS USED IN THIS SUBSECTION (4):

18 (I) "ACCESS BOARD" MEANS THE UNITED STATES ACCESS BOARD.

19 (II) "ELECTRIC VEHICLE CHARGER" MEANS A DEVICE WITH ONE OR
20 MORE CHARGING PORTS AND CONNECTORS FOR CHARGING ELECTRIC
21 VEHICLES.

22 (III) "ELECTRIC VEHICLE CHARGING STATION" OR "CHARGING
23 STATION" MEANS A COMMON LOCATION WITH ONE OR MORE ELECTRIC
24 VEHICLE CHARGERS.

25 (IV) "VEHICLE CHARGING SPACE" MEANS A SPACE TO PARK AN
26 ELECTRIC VEHICLE FOR CHARGING.

27 **SECTION 4.** In Colorado Revised Statutes, 31-23-315, **add** (2.5)

1 as follows:

2 **31-23-315. Parking and electric vehicle charging stations -**

3 **legislative declaration - conflict of law - definitions. (2.5) (a) FOR AN**

4 ELECTRIC VEHICLE CHARGING STATION CONSTRUCTED OR ALTERED ON OR

5 AFTER JANUARY 1, 2025, AN ELECTRIC VEHICLE CHARGING STATION MUST:

6 (I) INCORPORATE ACCESSIBLE DESIGN RECOMMENDATIONS

7 PUBLISHED BY THE ACCESS BOARD, OR ITS SUCCESSOR ORGANIZATION,

8 REGARDLESS OF WHETHER A FEDERAL AGENCY PROMULGATED RULES

9 INCORPORATING THE RECOMMENDATIONS AND ANY APPLICABLE

10 REGULATIONS ISSUED BY THE FEDERAL DEPARTMENT OF JUSTICE OR

11 DEPARTMENT OF TRANSPORTATION IMPLEMENTING THE "AMERICANS WITH

12 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,

13 OR COMPLY TO THE MAXIMUM EXTENT FEASIBLE IF FULL COMPLIANCE

14 WOULD CAUSE AN UNDUE BURDEN; AND

15 (II) PROVIDE AT LEAST FIVE PERCENT ACCESSIBLE VEHICLE

16 CHARGING SPACES OF THE TOTAL NUMBER OF VEHICLE CHARGING SPACES,

17 BUT NOT FEWER THAN ONE ACCESSIBLE VEHICLE CHARGING SPACE UNTIL

18 THE ACCESS BOARD PUBLISHES PROPORTIONAL REQUIREMENTS,

19 REGARDLESS OF WHETHER A FEDERAL AGENCY PROMULGATED RULES

20 INCORPORATING THE PROPORTIONAL REQUIREMENTS. WHEN THE ACCESS

21 BOARD PUBLISHES PROPORTIONAL REQUIREMENTS, AN ELECTRIC VEHICLE

22 CHARGING STATION MUST COMPLY WITH THE REQUIREMENTS PUBLISHED

23 BY THE ACCESS BOARD.

24 (b) AS USED IN THIS SUBSECTION (2.5):

25 (I) "ACCESS BOARD" MEANS THE UNITED STATES ACCESS BOARD.

26 (II) "ELECTRIC VEHICLE CHARGER" MEANS A DEVICE WITH ONE OR

27 MORE CHARGING PORTS AND CONNECTORS FOR CHARGING ELECTRIC

1 VEHICLES.

2 (III) "ELECTRIC VEHICLE CHARGING STATION" OR "CHARGING
3 STATION" MEANS A COMMON LOCATION WITH ONE OR MORE ELECTRIC
4 VEHICLE CHARGERS.

5 (IV) "VEHICLE CHARGING SPACE" MEANS A SPACE TO PARK AN
6 ELECTRIC VEHICLE FOR CHARGING.

7 **SECTION 5.** In Colorado Revised Statutes, 42-4-1208, **amend**
8 (4)(a) and (6)(c); and **add** (4)(a.5) and (4)(c) as follows:

9 **42-4-1208. Reserved parking for persons with disabilities -**
10 **applicability - rules. (4) Blocking access. (a)** Regardless of whether a
11 person displays an identifying plate or placard, a person shall not park a
12 vehicle so as to block reasonable access to curb ramps, passenger loading
13 zones, ACCESS AISLES, or accessible routes, as THOSE TERMS ARE DEFINED
14 IN THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN identified in 28
15 CFR part 36 appendix A, that are clearly identified unless the person is
16 actively loading or unloading a person with a disability.

17 (a.5) A PERSON SHALL NOT BLOCK REASONABLE ACCESS TO
18 RESERVED PARKING, CURB RAMPS, ACCESS AISLES, OR ACCESSIBLE ROUTES
19 BY ANY MEANS.

20 (c) AN ENTITY WHOSE PROPERTY OBSTRUCTS ACCESS TO RESERVED
21 PARKING, CURB RAMPS, ACCESS AISLES, AND ACCESSIBLE ROUTES IS
22 SUBJECT TO THE MONETARY PENALTIES IN SECTION 42-4-1701
23 (4)(a)(VIII)(A) TO (4)(a)(VIII)(C).

24 (6) **Enforcement of reserved parking. (c)** A peace officer, A
25 PARKING ENFORCEMENT OFFICER, and the department may investigate an
26 allegation that a person is violating this section; EXCEPT THAT A PEACE
27 OFFICER OR PARKING ENFORCEMENT OFFICER WHO RECEIVES A COMPLAINT

1 OF A VIOLATION OF SUBSECTION (4) OF THIS SECTION SHALL INVESTIGATE
2 THE COMPLAINT WITHIN A REASONABLE TIME.

3 **SECTION 6. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions.