

**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. 24-0705.02 Christopher McMichael x4775

HOUSE BILL 24-1173

HOUSE SPONSORSHIP

Valdez,

SENATE SPONSORSHIP

(None),

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING STREAMLINING THE PROCESS FOR PERMITTING ELECTRIC**
102 **MOTOR 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>.)

The bill establishes an expedited permitting process for the approval of electric motor vehicle (EV) charging systems for counties and municipalities.

A board of county commissioners or the governing body of a municipality must adopt an application procedure for an applicant to apply for an EV charger permit to install an EV motor vehicle charging

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.*

system. Once the application is complete, the county permitting agency or municipal permitting agency will review and approve, conditionally approve, or deny an EV charger permit:

- Within 30 days after the application is considered complete, for an application that proposes to build fewer than 13 charging stations on a parcel where the EV charging system is considered an accessory land use to the existing or primary land use on that parcel; or
- Within 60 days after the application is considered complete, for an application that proposes to build 13 or more charging stations or for applications where the EV charging system complies with the primary land use on that parcel.

If the county permitting agency or municipal permitting agency does not approve, conditionally approve, or deny a completed application for an EV charger permit within those time periods, the application is approved and the EV charger permit is granted to the applicant.

The county or municipality may deny an application if the application does not comply with the objective standards for EV charging systems set forth by the county or municipality or for health or safety reasons.

The bill also instructs the Colorado energy office to develop a model code regarding the approval of EV charger permits and provide counties and municipalities technical assistance in developing and administering the expedited EV charger permitting process.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The transportation sector is a leading source of greenhouse gas
5 emissions and pollution, and vehicle electrification is a key component in
6 reducing greenhouse gas emissions in the transportation sector;

7 (b) According to the United States department of energy, an
8 electric vehicle produces an average of less than one-fourth of the average
9 emissions of a motor vehicle powered by an internal combustion engine
10 over its lifetime;

11 (c) To further promote the adoption of electric vehicles, the state

1 needs to encourage the rapid development of a network of electric vehicle
2 charging systems and other infrastructure to support those electric
3 vehicles;

4 (d) As of January 2024, there are more than 108,000 electric
5 vehicles on the road in Colorado but less than 5,000 Level 2 and only 980
6 DC fast charging electric vehicle charging ports available for public use;

7 (e) The "2023 Colorado EV Plan" calls for at least 5,800 Level 2
8 and 1,700 DC fast charging electric vehicle charging ports available for
9 public use by 2025; and

10 (f) The promotion of electric vehicles and the development of
11 electric vehicle charging systems is a matter of mixed state and local
12 concern.

13 (2) The general assembly further declares that it is in the best
14 interest of Coloradans and a matter of mixed state and local concern to
15 facilitate the permitting of electric vehicle charging systems by
16 streamlining the process for local governments to approve permits for
17 developing electric vehicle charging infrastructure.

18 **SECTION 2.** In Colorado Revised Statutes, **add** 30-28-213 as
19 follows:

20 **30-28-213. Electric motor vehicle charging systems - county**
21 **permitting procedures - permit application - approval process -**
22 **definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS THE
23 CONTEXT OTHERWISE REQUIRES:

24 (a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

25 (I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED
26 WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A COUNTY
27 PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE

1 WITH OBJECTIVE STANDARDS SET FORTH IN COUNTY ZONING LAWS OR
2 OTHER COUNTY LAWS; AND

3 (II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A
4 RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC
5 BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF
6 THIS SECTION.

7 (b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
8 OFFICE CREATED IN SECTION 24-38.5-101.

9 (c) (I) "COUNTY PERMITTING AGENCY" MEANS THE ENTITY OR
10 ENTITIES FOR A COUNTY THAT ARE RESPONSIBLE FOR ISSUING AN EV
11 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
12 VEHICLE CHARGING SYSTEM.

13 (II) "COUNTY PERMITTING AGENCY" MAY INCLUDE:

14 (A) A COUNTY BUILDING DEPARTMENT OR AGENCY;

15 (B) A COUNTY PLANNING DEPARTMENT OR AGENCY; OR

16 (C) A COUNTY PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT
17 OR AGENCY.

18 (d) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
19 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

20 (e) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
21 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

22 (f) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
23 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
24 CHARGING SYSTEM THAT A COUNTY MAY REQUIRE TO AUTHORIZE AN
25 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND
26 A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER
27 ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

1 (g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

2 (I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE
3 TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY
4 THE APPLICANT AND COUNTY PERMITTING AGENCY STAFF PRIOR TO THE
5 APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

6 (II) DOES NOT REQUIRE COUNTY PERMITTING AGENCY STAFF TO
7 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER
8 PERMIT APPLICATION.

9 (2)(a) ON OR BEFORE DECEMBER 31, 2025, THE BOARD OF COUNTY
10 COMMISSIONERS OF A COUNTY WITH A POPULATION OF TWENTY THOUSAND
11 OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL:

12 (I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE
13 SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE
14 STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND
15 PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL
16 CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO
17 SUBSECTION (3) OF THIS SECTION; OR

18 (II)(A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
19 OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE
20 USED BY THE COUNTY PERMITTING AGENCY DURING THE COUNTY'S REVIEW
21 OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH
22 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

23 (B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE COUNTY
24 PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN
25 CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY
26 ELECTRIC UTILITIES SERVING THE COUNTY, AND OTHER RELEVANT
27 STAKEHOLDERS, AS DETERMINED BY THE COUNTY.

1 (b) ON OR BEFORE JANUARY 31, 2026, A COUNTY WITH A
2 POPULATION OF TWENTY THOUSAND OR MORE ACCORDING TO THE 2020
3 FEDERAL CENSUS SHALL SUBMIT A REPORT TO THE COLORADO ENERGY
4 OFFICE DESCRIBING THE COUNTY'S COMPLIANCE WITH SUBSECTION (2)(a)
5 OF THIS SECTION.

6 (c) A COUNTY SUBJECT TO THE REQUIREMENTS OF SUBSECTION
7 (2)(a) OF THIS SECTION SHALL MAINTAIN ELECTRONIC RECORDS OF EACH
8 APPLICATION FOR AN EV CHARGER PERMIT FOR AT LEAST TWO YEARS
9 AFTER THE DATE ON WHICH THE COUNTY PERMITTING AGENCY MAKES A
10 FINAL DETERMINATION OF WHETHER TO GRANT THE PERMIT. THE
11 ELECTRONIC RECORDS MUST INCLUDE:

12 (I) THE FINAL DETERMINATION MADE BY THE COUNTY PERMITTING
13 AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

14 (II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO
15 THE COUNTY PERMITTING AGENCY, THE DURATION BETWEEN THE DATE
16 THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY
17 THE COUNTY PERMITTING AGENCY AND THE DATE THAT THE COUNTY
18 PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER
19 PERMIT APPLICATION.

20 (d) IF THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY
21 ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO
22 SUBSECTION (2)(a)(I) OF THIS SECTION, THE REQUIREMENTS OF
23 SUBSECTIONS (4), (5), AND (6) OF THIS SECTION DO NOT APPLY TO THE
24 COUNTY.

25 (3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
26 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
27 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT

1 STANDARDS AND PERMITTING PROCESSES FOR COUNTIES.

2 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
3 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS
4 SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES,
5 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
6 PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS
7 DETERMINED BY THE COLORADO ENERGY OFFICE.

8 (c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
9 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
10 (3) SHALL ONLY APPLY TO A COUNTY'S LAND USE AND ZONING PERMITTING
11 PROCESSES AND SHALL NOT CONTRAVENE:

12 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
13 PROCEDURES;

14 (II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR
15 PROCEDURES;

16 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

17 (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR

18 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
19 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

20 (4) (a) A COUNTY PERMITTING AGENCY SHALL APPROVE,
21 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
22 PERMIT USING THE COUNTY'S ADMINISTRATIVE REVIEW PROCESS TO
23 DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING
24 SYSTEM IS IN COMPLIANCE WITH THE COUNTY'S OBJECTIVE STANDARDS.

25 (b) A COUNTY PERMITTING AGENCY SHALL NOT DENY OR PLACE
26 CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL
27 OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING

1 PUBLIC HEALTH OR SAFETY.

2 (c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR
3 AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE
4 WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
5 CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS
6 OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR
7 SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE APPLICANT.

8 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED
9 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
10 CHARGER PERMIT BY A COUNTY PERMITTING AGENCY MAY APPEAL THE
11 COUNTY PERMITTING AGENCY'S DECISION TO THE BOARD OF COUNTY
12 COMMISSIONERS OF THE COUNTY.

13 (e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO
14 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
15 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

16 (5) (a) THE COUNTY PERMITTING AGENCY MUST MAKE AVAILABLE
17 TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF
18 ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN
19 EV CHARGER PERMIT.

20 (b) A COUNTY PERMITTING AGENCY SHALL REVIEW AN
21 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE
22 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST
23 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

24 (c) A COUNTY PERMITTING AGENCY SHALL CONSIDER AN
25 APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE
26 REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF
27 THIS SECTION A COMPLETE APPLICATION.

1 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
2 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
3 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
4 COUNTY PERMITTING AGENCY SHALL SEND A WRITTEN NOTICE TO THE
5 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
6 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
7 APPLICATION TO BE CONSIDERED COMPLETE.

8 (e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO
9 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
10 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

11 (6) (a) A COUNTY PERMITTING AGENCY THAT HAS RECEIVED AN
12 APPLICATION FOR AN EV CHARGER PERMIT SHALL:

13 (I) REVIEW THE APPLICATION FOR COMPLETENESS WITHIN TEN
14 BUSINESS DAYS; AND

15 (II) WITHIN THREE BUSINESS DAYS AFTER THE COUNTY
16 PERMITTING AGENCY HAS COMPLETED ITS INITIAL REVIEW OF THE
17 APPLICATION, SEND WRITTEN NOTICE TO THE APPLICANT THAT STATES
18 WHETHER THE APPLICATION IS COMPLETE.

19 (b) AN APPLICATION FOR AN EV CHARGER PERMIT THAT IS
20 CONSIDERED COMPLETE SHALL BE REVIEWED BY THE COUNTY PERMITTING
21 AGENCY THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN THE
22 FOLLOWING TIME PERIODS:

23 (I) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
24 AN ACCESSORY LAND USE TO AN EXISTING OR PLANNED PRIMARY LAND
25 USE ON THE SAME PARCEL AND THAT HAS FEWER THAN THIRTEEN
26 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
27 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN

1 THIRTY DAYS AFTER THE COUNTY PERMITTING AGENCY SENDS NOTICE TO
2 THE APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION
3 IS COMPLETE.

4 (II) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
5 THE PRIMARY LAND USE ON A PARCEL OR THAT HAS THIRTEEN OR MORE
6 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
7 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN SIXTY
8 DAYS AFTER THE COUNTY PERMITTING AGENCY SENDS NOTICE TO THE
9 APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION IS
10 COMPLETE.

11 (c) A COUNTY PERMITTING AGENCY THAT DENIES OR
12 CONDITIONALLY APPROVES AN APPLICATION MUST DENY OR
13 CONDITIONALLY APPROVE THE APPLICATION WITHIN THE TIME PERIODS
14 SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

15 (d) IF THE COUNTY PERMITTING AGENCY DOES NOT APPROVE,
16 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
17 PERMIT THAT IS CONSIDERED COMPLETE WITHIN THE TIME PERIODS
18 DESCRIBED IN SUBSECTION (6)(b) OF THIS SECTION, THE APPLICATION IS
19 CONSIDERED APPROVED AND THE EV CHARGER PERMIT IS GRANTED TO
20 THE APPLICANT.

21 (e) THE REQUIREMENTS OF THIS SUBSECTION (6) DO NOT APPLY TO
22 COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
23 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

24 (7)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
25 ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE
26 REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

27 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY

1 CODES; AND

2 (II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING
3 AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT
4 STANDARDS AND PROCESSES.

5 (b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
6 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
7 PROVIDE TECHNICAL ASSISTANCE TO COUNTIES IN ACCORDANCE WITH THIS
8 SUBSECTION (7).

9 (c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
10 TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER
11 OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

12 **SECTION 3.** In Colorado Revised Statutes, **add** 31-23-316 as
13 follows:

14 **31-23-316. Electric motor vehicle charging systems -**
15 **municipal permitting procedures - permit application - approval**
16 **process - definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS
17 THE CONTEXT OTHERWISE REQUIRES:

18 (a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

19 (I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED
20 WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A MUNICIPAL
21 PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE
22 WITH OBJECTIVE STANDARDS SET FORTH IN MUNICIPAL ZONING LAWS OR
23 OTHER MUNICIPAL LAWS; AND

24 (II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A
25 RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC
26 BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF
27 THIS SECTION.

1 (b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
2 OFFICE CREATED IN SECTION 24-38.5-101.

3 (c) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE
4 MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

5 (d) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING
6 SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

7 (e) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN
8 APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE
9 CHARGING SYSTEM THAT A MUNICIPALITY MAY REQUIRE TO AUTHORIZE AN
10 APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND
11 A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER
12 ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

13 (f) (I) "MUNICIPAL PERMITTING AGENCY" MEANS THE ENTITY OR
14 ENTITIES FOR A MUNICIPALITY THAT ARE RESPONSIBLE FOR ISSUING AN EV
15 CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR
16 VEHICLE CHARGING SYSTEM.

17 (II) "MUNICIPAL PERMITTING AGENCY" MAY INCLUDE:

18 (A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

19 (B) A MUNICIPAL PLANNING DEPARTMENT OR AGENCY; OR

20 (C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE
21 DEPARTMENT OR AGENCY.

22 (g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

23 (I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE
24 TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY
25 THE APPLICANT AND MUNICIPAL PERMITTING AGENCY STAFF PRIOR TO THE
26 APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

27 (II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO

1 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER
2 PERMIT APPLICATION.

3 (2) (a) ON OR BEFORE DECEMBER 31, 2025, THE GOVERNING BODY
4 OF A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR MORE
5 ACCORDING TO THE 2020 FEDERAL CENSUS SHALL:

6 (I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE
7 THE SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE
8 STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND
9 PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL
10 CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO
11 SUBSECTION (3) OF THIS SECTION; OR

12 (II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES
13 OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE
14 USED BY THE MUNICIPAL PERMITTING AGENCY DURING THE
15 MUNICIPALITY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN
16 ACCORDANCE WITH SUBSECTIONS (4), (5), AND (6) OF THIS SECTION.

17 (B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE
18 MUNICIPALITY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE
19 DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE
20 DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND
21 OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE MUNICIPALITY.

22 (b) ON OR BEFORE JANUARY 31, 2026, A MUNICIPALITY SHALL
23 SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE
24 MUNICIPALITY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

25 (c) A MUNICIPALITY SHALL MAINTAIN ELECTRONIC RECORDS OF
26 EACH APPLICATION FOR AN EV CHARGER PERMIT FOR AT LEAST TWO
27 YEARS AFTER THE DATE ON WHICH THE MUNICIPAL PERMITTING AGENCY

1 MAKES A FINAL DETERMINATION OF WHETHER TO GRANT THE PERMIT. THE
2 ELECTRONIC RECORDS MUST INCLUDE:

3 (I) THE FINAL DETERMINATION MADE BY THE MUNICIPAL
4 PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

5 (II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO
6 THE MUNICIPAL PERMITTING AGENCY, THE DURATION BETWEEN THE DATE
7 THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY
8 THE MUNICIPAL PERMITTING AGENCY AND THE DATE THAT THE MUNICIPAL
9 PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER
10 PERMIT APPLICATION.

11 (d) IF THE GOVERNING BODY OF A MUNICIPALITY ADOPTS THE EV
12 CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I)
13 OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4), (5), AND (6) OF
14 THIS SECTION DO NOT APPLY TO THE MUNICIPALITY.

15 (3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY
16 OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT
17 CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT
18 STANDARDS AND PERMITTING PROCESSES FOR MUNICIPALITIES.

19 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
20 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS
21 SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES,
22 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
23 PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS
24 DETERMINED BY THE COLORADO ENERGY OFFICE.

25 (c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
26 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
27 (3) SHALL ONLY APPLY TO A MUNICIPALITY'S LAND USE AND ZONING

1 PERMITTING PROCESSES AND SHALL NOT CONTRAVENE:

2 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR
3 PROCEDURES;

4 (II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR
5 PROCEDURES;

6 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

7 (IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

8 (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS
9 RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

10 (4) (a) A MUNICIPAL PERMITTING AGENCY SHALL APPROVE,
11 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
12 PERMIT USING THE MUNICIPALITY'S ADMINISTRATIVE REVIEW PROCESS TO
13 DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING
14 SYSTEM IS IN COMPLIANCE WITH THE MUNICIPALITY'S OBJECTIVE
15 STANDARDS.

16 (b) A MUNICIPAL PERMITTING AGENCY SHALL NOT DENY OR PLACE
17 CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL
18 OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING
19 PUBLIC HEALTH OR SAFETY.

20 (c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION
21 FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL
22 MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
23 CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE
24 STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC
25 HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE
26 APPLICANT.

27 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED

1 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
2 CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE
3 MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF
4 THE MUNICIPALITY.

5 (e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO
6 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
7 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

8 (5) (a) THE MUNICIPAL PERMITTING AGENCY MUST MAKE
9 AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A
10 CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN
11 APPLICATION FOR AN EV CHARGER PERMIT.

12 (b) A MUNICIPAL PERMITTING AGENCY SHALL REVIEW AN
13 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE
14 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST
15 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

16 (c) A MUNICIPAL PERMITTING AGENCY SHALL CONSIDER AN
17 APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE
18 REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF
19 THIS SECTION A COMPLETE APPLICATION.

20 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
21 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
22 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
23 MUNICIPAL PERMITTING AGENCY SHALL SEND A WRITTEN NOTICE TO THE
24 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
25 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
26 APPLICATION TO BE CONSIDERED COMPLETE.

27 (e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO

1 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
2 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

3 (6) (a) A MUNICIPAL PERMITTING AGENCY THAT HAS RECEIVED AN
4 APPLICATION FOR AN EV CHARGER PERMIT SHALL:

5 (I) REVIEW THE APPLICATION FOR COMPLETENESS WITHIN TEN
6 BUSINESS DAYS; AND

7 (II) WITHIN THREE BUSINESS DAYS AFTER THE MUNICIPAL
8 PERMITTING AGENCY HAS COMPLETED ITS INITIAL REVIEW OF THE
9 APPLICATION, SEND WRITTEN NOTICE TO THE APPLICANT THAT STATES
10 WHETHER THE APPLICATION IS COMPLETE.

11 (b) AN APPLICATION FOR AN EV CHARGER PERMIT THAT IS
12 CONSIDERED COMPLETE SHALL BE REVIEWED BY THE MUNICIPAL
13 PERMITTING AGENCY THROUGH THE ADMINISTRATIVE REVIEW PROCESS
14 WITHIN THE FOLLOWING TIME PERIODS:

15 (I) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
16 AN ACCESSORY LAND USE TO AN EXISTING OR PLANNED PRIMARY LAND
17 USE ON THE SAME PARCEL AND THAT HAS FEWER THAN THIRTEEN
18 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
19 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN
20 THIRTY DAYS AFTER THE MUNICIPAL PERMITTING AGENCY SENDS NOTICE
21 TO THE APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT
22 APPLICATION IS COMPLETE.

23 (II) FOR AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT IS
24 THE PRIMARY LAND USE ON A PARCEL OR THAT HAS THIRTEEN OR MORE
25 CHARGING STATIONS, THE APPLICATION FOR AN EV CHARGER PERMIT IS
26 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN SIXTY
27 DAYS AFTER THE MUNICIPAL PERMITTING AGENCY SENDS NOTICE TO THE

1 APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT APPLICATION IS
2 COMPLETE.

3 (c) A MUNICIPAL PERMITTING AGENCY THAT DENIES OR
4 CONDITIONALLY APPROVES AN APPLICATION MUST DENY OR
5 CONDITIONALLY APPROVE THE APPLICATION WITHIN THE TIME PERIODS
6 SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

7 (d) IF THE MUNICIPAL PERMITTING AGENCY DOES NOT APPROVE,
8 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
9 PERMIT THAT IS CONSIDERED COMPLETE WITHIN THE TIME PERIODS
10 DESCRIBED IN SUBSECTION (6)(b) OF THIS SECTION, THE APPLICATION IS
11 CONSIDERED APPROVED AND THE EV CHARGER PERMIT IS GRANTED TO
12 THE APPLICANT.

13 (e) THE REQUIREMENTS OF THIS SUBSECTION (6) DO NOT APPLY TO
14 MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE
15 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION.

16 (7) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
17 ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING
18 WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

19 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL
20 CODES; AND

21 (II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL
22 PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV
23 CHARGER PERMIT STANDARDS AND PROCESSES.

24 (b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE
25 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
26 PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE
27 WITH THIS SUBSECTION (7).

1 (c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING
2 TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER
3 OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

4 **SECTION 4.** In Colorado Revised Statutes, 24-38.5-102, **amend**
5 (1)(l) and (1)(m); and **add** (1)(n) and (1)(o) as follows:

6 **24-38.5-102. Colorado energy office - duties and powers -**
7 **definitions.** (1) The Colorado energy office shall:

8 (l) Develop basic consumer education or guidance about leased
9 solar installation and purchased solar installation in consultation with
10 industries that offer these options to consumers; **and**

11 (m) In consultation with the appropriate industries, develop basic
12 consumer education or guidance about purchased or, if available, leased
13 installation of a system that uses geothermal energy for water heating or
14 space heating or cooling in a single building or for space heating for more
15 than one building through a pipeline **network**;

16 (n) **DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL**
17 **CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER**
18 **PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND**
19 **MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND**
20 **31-23-316 (3); AND**

21 (o) **PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY**
22 **COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN**
23 **DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF**
24 **ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH**
25 **SECTIONS 30-28-213 (7) AND 31-23-316 (7).**

26 **SECTION 5.** In Colorado Revised Statutes, 24-38.5-103, **amend**
27 (1)(a) as follows:

1 **24-38.5-103. Electric vehicle grant fund - creation -**
2 **administration - legislative declaration.** (1) (a) (I) There is hereby
3 created in the state treasury the electric vehicle grant fund, referred to in
4 this section as the "fund". The Colorado energy office shall use the fund
5 to:

6 (A) Provide grants to state agencies, public universities, public
7 transit agencies, local governments, landlords of multifamily apartment
8 buildings, private nonprofit or for-profit corporations, and the unit
9 owners' associations of common interest communities as defined in article
10 33.3 of title 38 to install charging stations for electric vehicles;

11 ~~(B) The Colorado energy office may also use the fund for COVER~~
12 ~~the administrative costs of providing these grants PURSUANT TO~~
13 ~~SUBSECTION (1)(a)(I)(A) OF THIS SECTION; AND~~

14 (C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE
15 DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE
16 CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO
17 COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS
18 30-28-213 (7) AND 31-23-316 (7).

19 (II) The Colorado energy office shall prioritize these grants
20 PROVIDED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION based
21 upon:

22 ~~(I) Repealed.~~

23 ~~(H)~~ (A) The extent to which the proposed recipients' charging
24 locations are likely to effectively serve existing electric vehicles or
25 encourage the acquisition of additional electric vehicles;

26 ~~(H)~~ (B) The extent to which one or more charging stations would
27 not be installed but for the financial assistance provided by a grant from

1 the fund; and

2 ~~(IV)~~ (C) Any other criteria defined by the Colorado energy office.

3 **SECTION 6. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2024 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.