

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

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 24-0705.02 Christopher McMichael x4775

**HOUSE BILL 24-1173**

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**A BILL FOR AN ACT**

101      **CONCERNING STREAMLINING THE PROCESS FOR PERMITTING ELECTRIC**  
102      **MOTOR VEHICLE CHARGING SYSTEMS.**

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**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.*

HOUSE  
3rd Reading Unamended  
April 24, 2024

HOUSE  
Amended 2nd Reading  
April 23, 2024

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.

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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.

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

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

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

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

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

(b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES,

1 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,  
2 PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS  
3 DETERMINED BY THE COLORADO ENERGY OFFICE.

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

8 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR  
9 PROCEDURES;

10 (II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR  
11 PROCEDURES;

12 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

13 (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR

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

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

21 (b) A COUNTY PERMITTING AGENCY SHALL NOT DENY OR PLACE  
22 CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL  
23 OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING  
24 PUBLIC HEALTH OR SAFETY.

25 (c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR  
26 AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE  
27 WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE

1 CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS  
2 OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR  
3 SAFETY AND SEND THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN  
4 THREE DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY DENIES  
5 THE APPLICATION.

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

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

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

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

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

26 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN  
27 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE

1 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE  
2 COUNTY PERMITTING AGENCY SHALL, WITHIN THREE DAYS AFTER THE  
3 DATE THE COUNTY PERMITTING AGENCY DETERMINES THE APPLICATION IS  
4 NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT  
5 DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY  
6 ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE  
7 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 (8) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY  
13 A BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH SUBSECTION  
14 (2)(a) OF THIS SECTION, A COUNTY PERMITTING AGENCY SHALL, WITHIN  
15 THREE DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY MAKES  
16 THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN  
17 APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV CHARGER  
18 PERMIT THAT STATES THE COUNTY PERMITTING AGENCY'S DETERMINATION  
19 ON THE APPLICANT'S EV CHARGER PERMIT APPLICATION.

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

22 **31-23-316. Electric motor vehicle charging systems -**  
23 **municipal permitting procedures - permit application - approval**  
24 **process - definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS  
25 THE CONTEXT OTHERWISE REQUIRES:

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

27 (I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED

1 WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A MUNICIPAL  
2 PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE  
3 WITH OBJECTIVE STANDARDS SET FORTH IN MUNICIPAL ZONING LAWS OR  
4 OTHER MUNICIPAL LAWS; AND

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

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

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

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

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

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

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

26 (A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

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

1 (C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE  
2 DEPARTMENT OR AGENCY.

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

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

8 (II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO  
9 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER  
10 PERMIT APPLICATION.

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

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

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

25 (B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE  
26 MUNICIPALITY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE  
27 DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE

1 DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND  
2 OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE MUNICIPALITY.

3

4 (b) A MUNICIPALITY SHALL MAINTAIN ELECTRONIC RECORDS OF  
5 EACH APPLICATION FOR AN EV CHARGER PERMIT FOR AT LEAST TWO  
6 YEARS AFTER THE DATE ON WHICH THE MUNICIPAL PERMITTING AGENCY  
7 MAKES A FINAL DETERMINATION OF WHETHER TO GRANT THE PERMIT. THE  
8 ELECTRONIC RECORDS MUST INCLUDE:

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

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

17 (c) IF THE GOVERNING BODY OF A MUNICIPALITY ADOPTS THE EV  
18 CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I)  
19 OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4), (5), AND (6) OF  
20 THIS SECTION DO NOT APPLY TO THE MUNICIPALITY.

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

25 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY  
26 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS  
27 SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES,

1 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,  
2 PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS  
3 DETERMINED BY THE COLORADO ENERGY OFFICE.

4 (c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY  
5 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION  
6 (3) SHALL ONLY APPLY TO A MUNICIPALITY'S LAND USE AND ZONING  
7 PERMITTING PROCESSES AND SHALL NOT CONTRAVENE:

8 (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR  
9 PROCEDURES;

10 (II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR  
11 PROCEDURES;

12 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

13 (IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

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

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

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

26 (c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION  
27 FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL

1 MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE  
2 CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE  
3 STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC  
4 HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE  
5 APPLICANT WITHIN THREE DAYS AFTER THE DATE THE MUNICIPAL  
6 PERMITTING AGENCY DENIES THE APPLICATION.

7 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED  
8 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV  
9 CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE  
10 MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF  
11 THE MUNICIPALITY.

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

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

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

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

27 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN

1 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE  
2 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE  
3 MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE DAYS AFTER THE  
4 DATE THE MUNICIPAL PERMITTING AGENCY DETERMINES THE APPLICATION  
5 IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT  
6 DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY  
7 ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE  
8 CONSIDERED COMPLETE.

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

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

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

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

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

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

1 REVIEWED THROUGH THE ADMINISTRATIVE REVIEW PROCESS WITHIN  
2 THIRTY DAYS AFTER THE MUNICIPAL PERMITTING AGENCY SENDS NOTICE  
3 TO THE APPLICANT THAT THE APPLICANT'S EV CHARGER PERMIT  
4 APPLICATION IS COMPLETE.

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

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

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

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

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

1 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL  
2 CODES; AND

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

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

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

13 (8) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY  
14 THE GOVERNING BODY OF A MUNICIPALITY IN ACCORDANCE WITH  
15 SUBSECTION (2)(a) OF THIS SECTION, A MUNICIPAL PERMITTING AGENCY  
16 SHALL, WITHIN THREE DAYS AFTER THE DATE THE MUNICIPAL PERMITTING  
17 AGENCY MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY  
18 APPROVE, OR DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR  
19 AN EV CHARGER PERMIT THAT STATES THE MUNICIPAL PERMITTING  
20 AGENCY'S DETERMINATION ON THE APPLICANT'S EV CHARGER PERMIT  
21 APPLICATION.

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

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

26 (l) Develop basic consumer education or guidance about leased  
27 solar installation and purchased solar installation in consultation with

1 industries that offer these options to consumers; and

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

7 (n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL  
8 CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER  
9 PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND  
10 MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND  
11 31-23-316 (3); AND

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

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

19 **24-38.5-103. Electric vehicle grant fund - creation -**  
20 **administration - legislative declaration.** (1) (a) (I) There is hereby  
21 created in the state treasury the electric vehicle grant fund, referred to in  
22 this section as the "fund". The Colorado energy office shall use the fund  
23 to:

24 (A) Provide grants to state agencies, public universities, public  
25 transit agencies, local governments, landlords of multifamily apartment  
26 buildings, private nonprofit or for-profit corporations, and the unit  
27 owners' associations of common interest communities as defined in article

1 33.3 of title 38 to install charging stations for electric vehicles;

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

5 (C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE  
6 DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE  
7 CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO  
8 COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS  
9 30-28-213 (7) AND 31-23-316 (7).

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

13 ~~(I) Repealed.~~

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

17 ~~(H) (B) The extent to which one or more charging stations would~~  
18 ~~not be installed but for the financial assistance provided by a grant from~~  
19 ~~the fund; and~~

20 ~~(V) (C) Any other criteria defined by the Colorado energy office.~~

21 **SECTION 6. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly; except  
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
25 of the state constitution against this act or an item, section, or part of this  
26 act within such period, then the act, item, section, or part will not take  
27 effect unless approved by the people at the general election to be held in

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.