

**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, Amabile, Brown, deGruy Kennedy, Epps, Froelich, Garcia, Hernandez, Herod, Jodeh, Joseph, Lieder, Lindsay, Mabrey, Mauro, Ortiz, Parenti, Rutinel, Story, Woodrow

SENATE SPONSORSHIP

Priola,

House Committees

Energy & Environment
Appropriations

Senate Committees

Transportation & Energy
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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.

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.

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) AND (5) 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 THAT IS SUBJECT
2 TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL
3 SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE
4 COUNTY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

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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) AND (5) OF THIS SECTION DO NOT APPLY TO THE COUNTY.

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

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

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

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

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

15 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

16 (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR

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

19 (d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
20 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
21 (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A COUNTY
22 PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR
23 DENIAL OF EV CHARGER PERMIT APPLICATIONS.

24 (4) (a) A COUNTY PERMITTING AGENCY SHALL APPROVE,
25 CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER
26 PERMIT USING THE COUNTY'S ADMINISTRATIVE REVIEW PROCESS TO
27 DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING

1 SYSTEM IS IN COMPLIANCE WITH THE COUNTY'S OBJECTIVE STANDARDS.

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

6 (c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR
7 AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE
8 WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
9 CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS
10 OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR
11 SAFETY AND SEND THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN
12 THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY
13 DENIES THE APPLICATION.

14 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED
15 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
16 CHARGER PERMIT BY A COUNTY PERMITTING AGENCY MAY APPEAL THE
17 COUNTY PERMITTING AGENCY'S DECISION TO THE BOARD OF COUNTY
18 COMMISSIONERS OF THE COUNTY.

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

22 (5) (a) THE COUNTY PERMITTING AGENCY MUST MAKE AVAILABLE
23 TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF
24 ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN
25 EV CHARGER PERMIT.

26 (b) A COUNTY PERMITTING AGENCY SHALL REVIEW AN
27 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE

1 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST
2 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

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

7 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
8 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
9 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
10 COUNTY PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS
11 AFTER THE DATE THE COUNTY PERMITTING AGENCY DETERMINES THE
12 APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE
13 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
14 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
15 APPLICATION TO BE CONSIDERED COMPLETE.

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

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20 (6)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
21 ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE
22 REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

23 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY
24 CODES; AND

25 (II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING
26 AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT
27 STANDARDS AND PROCESSES.

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

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

8 (7) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY
9 A BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH SUBSECTION
10 (2)(a) OF THIS SECTION, A COUNTY PERMITTING AGENCY SHALL, WITHIN
11 THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY
12 MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR
13 DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV
14 CHARGER PERMIT THAT STATES THE COUNTY PERMITTING AGENCY'S
15 DETERMINATION ON THE APPLICANT'S EV CHARGER PERMIT APPLICATION.

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

18 **31-23-316. Electric motor vehicle charging systems -**
19 **municipal permitting procedures - permit application - approval**
20 **process - definitions. (1) Definitions.** AS USED IN THIS SECTION, UNLESS
21 THE CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

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

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

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

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

22 (A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

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

24 (C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE
25 DEPARTMENT OR AGENCY.

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

27 (I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE

1 TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY
2 THE APPLICANT AND MUNICIPAL PERMITTING AGENCY STAFF PRIOR TO THE
3 APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

4 (II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO
5 MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER
6 PERMIT APPLICATION.

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

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

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

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

26 (b) ON OR BEFORE JANUARY 31, 2026, A MUNICIPALITY THAT IS
27 SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION

1 SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING
2 THE MUNICIPALITY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS
3 SECTION.

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

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

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

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

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

26 (b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
27 THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS

1 SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES,
2 REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES,
3 PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS
4 DETERMINED BY THE COLORADO ENERGY OFFICE.

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

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

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

13 (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

14 (IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

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

17 (d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY
18 THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION
19 (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A MUNICIPAL
20 PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR
21 DENIAL OF EV CHARGER PERMIT APPLICATIONS.

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

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

5 (c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION
6 FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL
7 MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE
8 CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE
9 STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC
10 HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE
11 APPLICANT WITHIN THREE BUSINESS DAYS AFTER THE DATE THE
12 MUNICIPAL PERMITTING AGENCY DENIES THE APPLICATION.

13 (d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED
14 A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV
15 CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE
16 MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF
17 THE MUNICIPALITY.

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

21 (5) (a) THE MUNICIPAL PERMITTING AGENCY MUST MAKE
22 AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A
23 CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN
24 APPLICATION FOR AN EV CHARGER PERMIT.

25 (b) A MUNICIPAL PERMITTING AGENCY SHALL REVIEW AN
26 APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE
27 APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST

1 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

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

6 (d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN
7 APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE
8 CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE
9 MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS
10 AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY DETERMINES THE
11 APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE
12 APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE
13 APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE
14 APPLICATION TO BE CONSIDERED COMPLETE.

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

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19 (6)(a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL
20 ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING
21 WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

22 (I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL
23 CODES; AND

24 (II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL
25 PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV
26 CHARGER PERMIT STANDARDS AND PROCESSES.

27 (b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE

1 ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO
2 PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE
3 WITH THIS SUBSECTION (6).

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

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

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

18 **24-38.5-102. Colorado energy office - duties and powers -**
19 **definitions.** (1) The Colorado energy office shall:

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

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

1 (n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL
2 CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER
3 PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND
4 MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND
5 31-23-316 (3); AND

6 (o) PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY
7 COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN
8 DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF
9 ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH
10 SECTIONS 30-28-213 (6) AND 31-23-316 (6).

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

13 **24-38.5-103. Electric vehicle grant fund - creation -**
14 **administration - legislative declaration.** (1) (a) (I) There is hereby
15 created in the state treasury the electric vehicle grant fund, referred to in
16 this section as the "fund". The Colorado energy office shall use the fund
17 to:

18 (A) Provide grants to state agencies, public universities, public
19 transit agencies, local governments, landlords of multifamily apartment
20 buildings, private nonprofit or for-profit corporations, and the unit
21 owners' associations of common interest communities as defined in article
22 33.3 of title 38 to install charging stations for electric vehicles;

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

26 (C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE
27 DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE

1 CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO
2 COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS
3 30-28-213 (6) AND 31-23-316 (6).

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

7 ~~(I) Repealed.~~

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

11 ~~(HH)~~ (B) The extent to which one or more charging stations would
12 not be installed but for the financial assistance provided by a grant from
13 the fund; and

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

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