
HOUSE BILL 1793

State of Washington

67th Legislature

2022 Regular Session

By Representatives Hackney, Fitzgibbon, Berry, Bateman, Macri, Ramel, Senn, Wylie, Bergquist, Valdez, Pollet, and Kloba

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to electric vehicle charging stations in common
2 interest communities; adding a new section to chapter 64.32 RCW;
3 adding a new section to chapter 64.34 RCW; adding a new section to
4 chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and
5 prescribing penalties.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 64.32
8 RCW to read as follows:

9 (1)(a) An association of apartment owners may not adopt or
10 enforce a restriction, covenant, condition, bylaw, rule, regulation,
11 provision of a governing document, or master deed provision that:

12 (i) Effectively prohibits or unreasonably restricts the
13 installation or use of an electric vehicle charging station in
14 compliance with the requirements of this section and for the personal
15 noncommercial use of an apartment owner in a designated parking
16 space; or

17 (ii) Is in conflict with the provisions of this section.

18 (b) Nothing in this section prohibits an association from
19 imposing reasonable restrictions on electric vehicle charging
20 stations. However, it is the policy of the state to promote,

1 encourage, and remove obstacles to the use of electric vehicle
2 charging stations.

3 (2) An association of apartment owners may require an apartment
4 owner to submit an application for approval for the installation of
5 an electric vehicle charging station before installing the charging
6 station.

7 (3) (a) If approval is required for the installation or use of an
8 electric vehicle charging station, the application for approval must
9 be processed and approved in the same manner as an application for
10 approval of an architectural modification.

11 (b) The approval or denial of an application must be in writing
12 and must not be willfully avoided or delayed.

13 (c) If an application is not denied in writing within 60 days
14 from the date of receipt of the application, the application is
15 deemed approved, unless that delay is the result of a reasonable
16 request for additional information.

17 (d) An association of apartment owners may not assess or charge
18 an apartment owner a fee for the placement of an electric vehicle
19 charging station. An association may charge a reasonable fee for
20 processing the application to approve the installation of an electric
21 vehicle charging station, but only if such a fee exists for all
22 applications for approval of architectural modifications.

23 (4) If approval is required for the installation or use of an
24 electric vehicle charging station, an association of apartment owners
25 must approve the installation in a designated parking space if the
26 installation is reasonably possible and the apartment owner agrees in
27 writing to:

28 (a) Comply with the association's reasonable architectural
29 standards applicable to the installation of the electric vehicle
30 charging station;

31 (b) Engage an electrical contractor familiar with the standards
32 for the installation of electric vehicle infrastructure to install
33 the electric vehicle charging station;

34 (c) (i) Provide, within the time specified in (c) (ii) of this
35 subsection, a certificate of insurance naming the association as an
36 additional insured on the apartment owner's insurance policy for any
37 claim related to the installation, maintenance, or use of the
38 electric vehicle charging station, or, if the charging station is
39 located in a common area under subsection (5) of this section,

1 reimbursement to the association for the actual cost of any increased
2 insurance premium amount attributable to the charging station;

3 (ii) A certificate of insurance required under (c)(i) of this
4 subsection must be provided within 14 days after the association
5 approves the installation of the electric vehicle charging station.
6 Reimbursement for an increased insurance premium amount under (c)(i)
7 of this subsection must be provided within 14 days after the
8 apartment owner receives the association's invoice for the amount
9 attributable to the charging station;

10 (d) Register the electric vehicle charging station with the
11 association within 30 days after installation;

12 (e) Pay for the electricity usage associated with the separately
13 metered electric vehicle charging station; and

14 (f) Comply with the requirements of this section.

15 (5) If installation of an electric vehicle charging station in a
16 designated parking space is impossible or unreasonably expensive, an
17 association of apartment owners may authorize the installation of an
18 electric vehicle charging station for the exclusive use of an
19 apartment owner in a common area that is not a limited common area
20 designated for the use of that owner. In such cases, the association
21 may enter into a license agreement with the owner for the use of the
22 space in a common area, and the owner must comply with the
23 requirements of this section.

24 (6)(a) An apartment owner must obtain any permit or approval for
25 an electric vehicle charging station as required by the local
26 government in which the common interest community is located and
27 comply with all relevant building codes and safety standards.

28 (b) An electric vehicle charging station must meet all applicable
29 health and safety standards and requirements imposed by national,
30 state, or local authorities, and all other applicable zoning, land
31 use or other ordinances, building codes, or land use permits.

32 (7)(a) Unless otherwise agreed to by written contract with the
33 association, an apartment owner is responsible for the costs of
34 installing an electric vehicle charging station.

35 (b) An electric vehicle charging station installed at the
36 apartment owner's cost is property of the apartment owner. Upon sale
37 of the apartment, if the charging station is removable, the apartment
38 owner may either remove it or sell it to the buyer of the apartment
39 or to the association for an agreed price. Nothing in this subsection

1 requires the buyer or the association to purchase the electric
2 vehicle charging station.

3 (8) An apartment owner must disclose to any prospective buyers of
4 the unit:

5 (a) The existence of an electric vehicle charging station and the
6 related responsibilities of the owner under this section; and

7 (b) Whether the electric vehicle charging station is removable
8 and whether the owner intends to remove the charging station in order
9 to install it at the owner's new place of residence.

10 (9) The owner and each successive owner of an electric vehicle
11 charging station is responsible for:

12 (a) Costs for the maintenance, repair, and replacement of the
13 electric vehicle charging station up until the station is removed;

14 (b) Costs for damage to the electric vehicle charging station,
15 common area, or limited common area resulting from the installation,
16 maintenance, repair, removal, or replacement of the electric vehicle
17 charging station;

18 (c) The cost of electricity associated with the electric vehicle
19 charging station;

20 (d) Obtaining and maintaining an insurance policy that meets the
21 requirements in subsection (4)(c) of this section;

22 (e) If the owner decides to remove the electric vehicle charging
23 station, costs for the removal and the restoration of the common area
24 or limited common area after the removal; and

25 (f) Removing the electric vehicle charging station if reasonably
26 necessary for the repair, maintenance, or replacement of the common
27 area or limited common area.

28 (10) If an association of apartment owners reasonably determines
29 that the cumulative use of electricity in the common interest
30 community attributable to the installation and use of electric
31 vehicle charging stations requires the installation of additional
32 infrastructure improvements to provide the community with a
33 sufficient supply of electricity, the association may assess the cost
34 of the infrastructure improvements against each apartment owner that
35 has, or will, install an electric vehicle charging station.

36 (11) An association of apartment owners may install an electric
37 vehicle charging station in the common areas for the use of all
38 apartment owners and, in that case, the association must develop
39 appropriate terms of use for the charging station.

1 (12) An association of apartment owners may create a new parking
2 space where one did not previously exist to facilitate the
3 installation of an electric vehicle charging station.

4 (13)(a) An association of apartment owners that willfully
5 violates this section is liable to the apartment owner for actual
6 damages, and shall pay a civil penalty to the apartment owner in an
7 amount not to exceed \$1,000.

8 (b) In any action by an apartment owner requesting to have an
9 electric vehicle charging station installed and seeking to enforce
10 compliance with this section, the court shall award reasonable
11 attorneys' fees and costs to any prevailing apartment owner.

12 (14) The definitions in this subsection apply throughout this
13 section unless the context clearly requires otherwise.

14 (a) "Designated parking space" means a parking space that is
15 specifically designated for use by a particular apartment owner,
16 including a garage, a deeded parking space, and a parking space in a
17 limited common area that is restricted for use by one or more
18 apartment owners.

19 (b) "Electric vehicle charging station" means a station that
20 delivers electricity from a source outside an electric vehicle into
21 one or more electric vehicles. An electric vehicle charging station
22 may include several charge points simultaneously connecting several
23 electric vehicles to the station and any related equipment needed to
24 facilitate charging plug-in electric vehicles.

25 (c) "Reasonable restriction" means a restriction that does not
26 significantly increase the cost of an electric vehicle charging
27 station or significantly decrease its efficiency or specified
28 performance.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 64.34
30 RCW to read as follows:

31 (1)(a) A unit owners' association may not adopt or enforce a
32 restriction, covenant, condition, bylaw, rule, regulation, provision
33 of a governing document, or master deed provision that:

34 (i) Effectively prohibits or unreasonably restricts the
35 installation or use of an electric vehicle charging station in
36 compliance with the requirements of this section and for the personal
37 noncommercial use of a unit owner, within the boundaries of a unit or
38 in a designated parking space; or

39 (ii) Is in conflict with the provisions of this section.

1 (b) Nothing in this section prohibits an association from
2 imposing reasonable restrictions on electric vehicle charging
3 stations. However, it is the policy of the state to promote,
4 encourage, and remove obstacles to the use of electric vehicle
5 charging stations.

6 (2) A unit owners' association may require a unit owner to submit
7 an application for approval for the installation of an electric
8 vehicle charging station before installing the charging station.

9 (3) (a) If approval is required for the installation or use of an
10 electric vehicle charging station, the application for approval must
11 be processed and approved in the same manner as an application for
12 approval of an architectural modification.

13 (b) The approval or denial of an application must be in writing
14 and must not be willfully avoided or delayed.

15 (c) If an application is not denied in writing within 60 days
16 from the date of receipt of the application, the application is
17 deemed approved, unless that delay is the result of a reasonable
18 request for additional information.

19 (d) A unit owners' association may not assess or charge a unit
20 owner a fee for the placement of an electric vehicle charging
21 station. An association may charge a reasonable fee for processing
22 the application to approve the installation of an electric vehicle
23 charging station, but only if such a fee exists for all applications
24 for approval of architectural modifications.

25 (4) If approval is required for the installation or use of an
26 electric vehicle charging station, a unit owners' association must
27 approve the installation within the boundaries of a unit or in a
28 designated parking space if the installation is reasonably possible
29 and the unit owner agrees in writing to:

30 (a) Comply with the association's reasonable architectural
31 standards applicable to the installation of the electric vehicle
32 charging station;

33 (b) Engage an electrical contractor familiar with the standards
34 for the installation of electric vehicle infrastructure to install
35 the electric vehicle charging station;

36 (c) (i) Provide, within the time specified in (c) (ii) of this
37 subsection, a certificate of insurance naming the association as an
38 additional insured on the unit owner's insurance policy for any claim
39 related to the installation, maintenance, or use of the electric
40 vehicle charging station, or, if the charging station is located on a

1 common element under subsection (5) of this section, reimbursement to
2 the association for the actual cost of any increased insurance
3 premium amount attributable to the charging station;

4 (ii) A certificate of insurance required under (c)(i) of this
5 subsection must be provided within 14 days after the association
6 approves the installation of the electric vehicle charging station.
7 Reimbursement for an increased insurance premium amount under (c)(i)
8 of this subsection must be provided within 14 days after the unit
9 owner receives the association's invoice for the amount attributable
10 to the charging station;

11 (d) Register the electric vehicle charging station with the
12 association within 30 days after installation;

13 (e) Pay for the electricity usage associated with the separately
14 metered electric vehicle charging station; and

15 (f) Comply with the requirements of this section.

16 (5) If installation of an electric vehicle charging station
17 within the boundaries of a unit or in a designated parking space is
18 impossible or unreasonably expensive, a unit owners' association may
19 authorize the installation of an electric vehicle charging station
20 for the exclusive use of a unit owner in a common element that is not
21 a limited common element designated for the use of that owner. In
22 such cases, the association may enter into a license agreement with
23 the owner for the use of the space in a common element, and the owner
24 must comply with the requirements of this section.

25 (6)(a) A unit owner must obtain any permit or approval for an
26 electric vehicle charging station as required by the local government
27 in which the common interest community is located and comply with all
28 relevant building codes and safety standards.

29 (b) An electric vehicle charging station must meet all applicable
30 health and safety standards and requirements imposed by national,
31 state, or local authorities, and all other applicable zoning, land
32 use or other ordinances, building codes, or land use permits.

33 (7)(a) Unless otherwise agreed to by written contract with the
34 unit owners' association, a unit owner is responsible for the costs
35 of installing an electric vehicle charging station.

36 (b) An electric vehicle charging station installed at the unit
37 owner's cost is property of the unit owner. Upon sale of the unit, if
38 the charging station is removable, the unit owner may either remove
39 it or sell it to the buyer of the unit or to the association for an

1 agreed price. Nothing in this subsection requires the buyer or the
2 association to purchase the electric vehicle charging station.

3 (8) A unit owner must disclose to any prospective buyers of the
4 unit:

5 (a) The existence of an electric vehicle charging station and the
6 related responsibilities of the owner under this section; and

7 (b) Whether the electric vehicle charging station is removable
8 and whether the owner intends to remove the charging station in order
9 to install it at the owner's new place of residence.

10 (9) The owner and each successive owner of an electric vehicle
11 charging station is responsible for:

12 (a) Costs for the maintenance, repair, and replacement of the
13 electric vehicle charging station up until the station is removed;

14 (b) Costs for damage to the electric vehicle charging station,
15 common element, or limited common element resulting from the
16 installation, maintenance, repair, removal, or replacement of the
17 electric vehicle charging station;

18 (c) The cost of electricity associated with the electric vehicle
19 charging station;

20 (d) Obtaining and maintaining an insurance policy that meets the
21 requirements in subsection (4)(c) of this section;

22 (e) If the owner decides to remove the electric vehicle charging
23 station, costs for the removal and the restoration of the common
24 element or limited common element after the removal; and

25 (f) Removing the electric vehicle charging station if reasonably
26 necessary for the repair, maintenance, or replacement of the common
27 element or limited common element.

28 (10) If a unit owners' association reasonably determines that the
29 cumulative use of electricity in the common interest community
30 attributable to the installation and use of electric vehicle charging
31 stations requires the installation of additional infrastructure
32 improvements to provide the community with a sufficient supply of
33 electricity, the association may assess the cost of the
34 infrastructure improvements against each unit owner that has, or
35 will, install an electric vehicle charging station.

36 (11) A unit owners' association may install an electric vehicle
37 charging station in the common elements for the use of all unit
38 owners and, in that case, the association must develop appropriate
39 terms of use for the charging station.

1 (12) A unit owners' association may create a new parking space
2 where one did not previously exist to facilitate the installation of
3 an electric vehicle charging station.

4 (13)(a) A unit owners' association that willfully violates this
5 section is liable to the unit owner for actual damages, and shall pay
6 a civil penalty to the unit owner in an amount not to exceed \$1,000.

7 (b) In any action by a unit owner requesting to have an electric
8 vehicle charging station installed and seeking to enforce compliance
9 with this section, the court shall award reasonable attorneys' fees
10 and costs to any prevailing unit owner.

11 (14) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Designated parking space" means a parking space that is
14 specifically designated for use by a particular unit owner, including
15 a garage, a deeded parking space, and a parking space in a limited
16 common element that is restricted for use by one or more unit owners.

17 (b) "Electric vehicle charging station" means a station that
18 delivers electricity from a source outside an electric vehicle into
19 one or more electric vehicles. An electric vehicle charging station
20 may include several charge points simultaneously connecting several
21 electric vehicles to the station and any related equipment needed to
22 facilitate charging plug-in electric vehicles.

23 (c) "Reasonable restriction" means a restriction that does not
24 significantly increase the cost of an electric vehicle charging
25 station or significantly decrease its efficiency or specified
26 performance.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 64.38
28 RCW to read as follows:

29 (1)(a) A homeowners' association may not adopt or enforce a
30 restriction, covenant, condition, bylaw, rule, regulation, provision
31 of a governing document, or master deed provision that:

32 (i) Effectively prohibits or unreasonably restricts the
33 installation or use of an electric vehicle charging station in
34 compliance with the requirements of this section and for the personal
35 noncommercial use of a lot owner, within the boundaries of a lot or
36 in a designated parking space; or

37 (ii) Is in conflict with the provisions of this section.

38 (b) Nothing in this section prohibits an association from
39 imposing reasonable restrictions on electric vehicle charging

1 stations. However, it is the policy of the state to promote,
2 encourage, and remove obstacles to the use of electric vehicle
3 charging stations.

4 (2) A homeowners' association may require a lot owner to submit
5 an application for approval for the installation of an electric
6 vehicle charging station before installing the charging station.

7 (3) (a) If approval is required for the installation or use of an
8 electric vehicle charging station, the application for approval must
9 be processed and approved in the same manner as an application for
10 approval of an architectural modification.

11 (b) The approval or denial of an application must be in writing
12 and must not be willfully avoided or delayed.

13 (c) If an application is not denied in writing within 60 days
14 from the date of receipt of the application, the application is
15 deemed approved, unless that delay is the result of a reasonable
16 request for additional information.

17 (d) A homeowners' association may not assess or charge a lot
18 owner a fee for the placement of an electric vehicle charging
19 station. An association may charge a reasonable fee for processing
20 the application to approve the installation of an electric vehicle
21 charging station, but only if such a fee exists for all applications
22 for approval of architectural modifications.

23 (4) If approval is required for the installation or use of an
24 electric vehicle charging station, a homeowners' association must
25 approve the installation within the boundaries of a lot or in a
26 designated parking space if the installation is reasonably possible
27 and the lot owner agrees in writing to:

28 (a) Comply with the association's reasonable architectural
29 standards applicable to the installation of the electric vehicle
30 charging station;

31 (b) Engage an electrical contractor familiar with the standards
32 for the installation of electric vehicle infrastructure to install
33 the electric vehicle charging station;

34 (c) (i) Provide, within the time specified in (c) (ii) of this
35 subsection, a certificate of insurance naming the association as an
36 additional insured on the lot owner's insurance policy for any claim
37 related to the installation, maintenance, or use of the electric
38 vehicle charging station, or, if the charging station is located on a
39 common area under subsection (5) of this section, reimbursement to

1 the association for the actual cost of any increased insurance
2 premium amount attributable to the charging station;

3 (ii) A certificate of insurance required under (c)(i) of this
4 subsection must be provided within 14 days after the association
5 approves the installation of the electric vehicle charging station.
6 Reimbursement for an increased insurance premium amount under (c)(i)
7 of this subsection must be provided within 14 days after the lot
8 owner receives the association's invoice for the amount attributable
9 to the charging station;

10 (d) Register the electric vehicle charging station with the
11 association within 30 days after installation;

12 (e) Pay for the electricity usage associated with the separately
13 metered electric vehicle charging station; and

14 (f) Comply with the requirements of this section.

15 (5) If installation of an electric vehicle charging station
16 within the boundaries of a unit or in a designated parking space is
17 impossible or unreasonably expensive, a homeowners' association may
18 authorize the installation of an electric vehicle charging station
19 for the exclusive use of a lot owner in a common area that is not a
20 limited common area designated for the use of that owner. In such
21 cases, the association may enter into a license agreement with the
22 owner for the use of the space in a common area, and the owner must
23 comply with the requirements of this section.

24 (6)(a) A lot owner must obtain any permit or approval for an
25 electric vehicle charging station as required by the local government
26 in which the common interest community is located and comply with all
27 relevant building codes and safety standards.

28 (b) An electric vehicle charging station must meet all applicable
29 health and safety standards and requirements imposed by national,
30 state, or local authorities, and all other applicable zoning, land
31 use or other ordinances, building codes, or land use permits.

32 (7)(a) Unless otherwise agreed to by written contract with the
33 homeowners' association, a lot owner is responsible for the costs of
34 installing an electric vehicle charging station.

35 (b) An electric vehicle charging station installed at the lot
36 owner's cost is property of the lot owner. Upon sale of the lot, if
37 the charging station is removable, the lot owner may either remove it
38 or sell it to the buyer of the lot or to the association for an
39 agreed price. Nothing in this subsection requires the buyer or the
40 association to purchase the electric vehicle charging station.

1 (8) A lot owner must disclose to any prospective buyers of the
2 lot:

3 (a) The existence of an electric vehicle charging station and the
4 related responsibilities of the owner under this section; and

5 (b) Whether the electric vehicle charging station is removable
6 and whether the owner intends to remove the charging station in order
7 to install it at the owner's new place of residence.

8 (9) The owner and each successive owner of an electric vehicle
9 charging station is responsible for:

10 (a) Costs for the maintenance, repair, and replacement of the
11 electric vehicle charging station up until the station is removed;

12 (b) Costs for damage to the electric vehicle charging station,
13 common area, or limited common area resulting from the installation,
14 maintenance, repair, removal, or replacement of the electric vehicle
15 charging station;

16 (c) The cost of electricity associated with the electric vehicle
17 charging station;

18 (d) Obtaining and maintaining an insurance policy that meets the
19 requirements in subsection (4)(c) of this section;

20 (e) If the owner decides to remove the electric vehicle charging
21 station, costs for the removal and the restoration of the common area
22 or limited common area after the removal; and

23 (f) Removing the electric vehicle charging station if reasonably
24 necessary for the repair, maintenance, or replacement of the common
25 area or limited common area.

26 (10) If a homeowners' association reasonably determines that the
27 cumulative use of electricity in the common interest community
28 attributable to the installation and use of electric vehicle charging
29 stations requires the installation of additional infrastructure
30 improvements to provide the community with a sufficient supply of
31 electricity, the association may assess the cost of the
32 infrastructure improvements against each lot owner that has, or will,
33 install an electric vehicle charging station.

34 (11) A homeowners' association may install an electric vehicle
35 charging station in the common area for the use of all lot owners
36 and, in that case, the association must develop appropriate terms of
37 use for the charging station.

38 (12) A homeowners' association may create a new parking space
39 where one did not previously exist to facilitate the installation of
40 an electric vehicle charging station.

1 (13)(a) A homeowners' association that willfully violates this
2 section is liable to the lot owner for actual damages, and shall pay
3 a civil penalty to the lot owner in an amount not to exceed \$1,000.

4 (b) In any action by a lot owner requesting to have an electric
5 vehicle charging station installed and seeking to enforce compliance
6 with this section, the court shall award reasonable attorneys' fees
7 and costs to any prevailing lot owner.

8 (14) The definitions in this subsection apply throughout this
9 section unless the context clearly requires otherwise.

10 (a) "Designated parking space" means a parking space that is
11 specifically designated for use by a particular lot owner, including
12 a garage, a deeded parking space, and a parking space in a limited
13 common area that is restricted for use by one or more lot owners.

14 (b) "Electric vehicle charging station" means a station that
15 delivers electricity from a source outside an electric vehicle into
16 one or more electric vehicles. An electric vehicle charging station
17 may include several charge points simultaneously connecting several
18 electric vehicles to the station and any related equipment needed to
19 facilitate charging plug-in electric vehicles.

20 (c) "Reasonable restriction" means a restriction that does not
21 significantly increase the cost of an electric vehicle charging
22 station or significantly decrease its efficiency or specified
23 performance.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 64.90
25 RCW to read as follows:

26 (1)(a) A unit owners association may not adopt or enforce a
27 restriction, covenant, condition, bylaw, rule, regulation, provision
28 of a governing document, or master deed provision that:

29 (i) Effectively prohibits or unreasonably restricts the
30 installation or use of an electric vehicle charging station in
31 compliance with the requirements of this section and for the personal
32 noncommercial use of a unit owner, within the boundaries of a unit or
33 in a designated parking space; or

34 (ii) Is in conflict with the provisions of this section.

35 (b) Nothing in this section prohibits an association from
36 imposing reasonable restrictions on electric vehicle charging
37 stations. However, it is the policy of the state to promote,
38 encourage, and remove obstacles to the use of electric vehicle
39 charging stations.

1 (2) A unit owners association may require a unit owner to submit
2 an application for approval for the installation of an electric
3 vehicle charging station before installing the charging station.

4 (3)(a) If approval is required for the installation or use of an
5 electric vehicle charging station, the application for approval must
6 be processed and approved in the same manner as an application for
7 approval of an architectural modification.

8 (b) The approval or denial of an application must be in writing
9 and must not be willfully avoided or delayed.

10 (c) If an application is not denied in writing within 60 days
11 from the date of receipt of the application, the application is
12 deemed approved, unless that delay is the result of a reasonable
13 request for additional information.

14 (d) An association may not assess or charge a unit owner a fee
15 for the placement of an electric vehicle charging station. An
16 association may charge a reasonable fee for processing the
17 application to approve the installation of an electric vehicle
18 charging station, but only if such a fee exists for all applications
19 for approval of architectural modifications.

20 (4) If approval is required for the installation or use of an
21 electric vehicle charging station, a unit owners association must
22 approve the installation within the boundaries of a unit or in a
23 designated parking space if the installation is reasonably possible
24 and the unit owner agrees in writing to:

25 (a) Comply with the association's reasonable architectural
26 standards applicable to the installation of the electric vehicle
27 charging station;

28 (b) Engage an electrical contractor familiar with the standards
29 for the installation of electric vehicle infrastructure to install
30 the electric vehicle charging station;

31 (c)(i) Provide, within the time specified in (c)(ii) of this
32 subsection, a certificate of insurance naming the association as an
33 additional insured on the unit owner's insurance policy for any claim
34 related to the installation, maintenance, or use of the electric
35 vehicle charging station, or, if the charging station is located on a
36 common element under subsection (5) of this section, reimbursement to
37 the association for the actual cost of any increased insurance
38 premium amount attributable to the charging station;

39 (ii) A certificate of insurance required under (c)(i) of this
40 subsection must be provided within 14 days after the association

1 approves the installation of the electric vehicle charging station.
2 Reimbursement for an increased insurance premium amount under (c)(i)
3 of this subsection must be provided within 14 days after the unit
4 owner receives the association's invoice for the amount attributable
5 to the charging station;

6 (d) Register the electric vehicle charging station with the
7 association within 30 days after installation;

8 (e) Pay for the electricity usage associated with the separately
9 metered electric vehicle charging station; and

10 (f) Comply with the requirements of this section.

11 (5) If installation of an electric vehicle charging station
12 within the boundaries of a unit or in a designated parking space is
13 impossible or unreasonably expensive, a unit owners association may
14 authorize the installation of an electric vehicle charging station
15 for the exclusive use of an owner in a common element that is not a
16 limited common element designated for the use of that owner. In such
17 cases, the association may enter into a license agreement with the
18 owner for the use of the space in a common element, and the owner
19 must comply with the requirements of this section.

20 (6)(a) A unit owner must obtain any permit or approval for an
21 electric vehicle charging station as required by the local government
22 in which the common interest community is located and comply with all
23 relevant building codes and safety standards.

24 (b) An electric vehicle charging station must meet all applicable
25 health and safety standards and requirements imposed by national,
26 state, or local authorities, and all other applicable zoning, land
27 use or other ordinances, building codes, or land use permits.

28 (7)(a) Unless otherwise agreed to by written contract with the
29 unit owners association, a unit owner is responsible for the costs of
30 installing an electric vehicle charging station.

31 (b) An electric vehicle charging station installed at the unit
32 owner's cost is property of the unit owner. Upon sale of the unit, if
33 the charging station is removable, the unit owner may either remove
34 it or sell it to the buyer of the unit or to the association for an
35 agreed price. Nothing in this subsection requires the buyer or the
36 association to purchase the electric vehicle charging station.

37 (8) A unit owner must disclose to any prospective buyers of the
38 unit:

39 (a) The existence of an electric vehicle charging station and the
40 related responsibilities of the owner under this section; and

1 (b) Whether the electric vehicle charging station is removable
2 and whether the owner intends to remove the charging station in order
3 to install it at the owner's new place of residence.

4 (9) The owner and each successive owner of an electric vehicle
5 charging station is responsible for:

6 (a) Costs for the maintenance, repair, and replacement of the
7 electric vehicle charging station up until the station is removed;

8 (b) Costs for damage to the electric vehicle charging station,
9 common element, or limited common element resulting from the
10 installation, maintenance, repair, removal, or replacement of the
11 electric vehicle charging station;

12 (c) The cost of electricity associated with the electric vehicle
13 charging station;

14 (d) Obtaining and maintaining an insurance policy that meets the
15 requirements in subsection (4)(c) of this section;

16 (e) If the owner decides to remove the electric vehicle charging
17 station, costs for the removal and the restoration of the common
18 element or limited common element after the removal; and

19 (f) Removing the electric vehicle charging station if reasonably
20 necessary for the repair, maintenance, or replacement of the common
21 element or limited common element.

22 (10) If a unit owners association reasonably determines that the
23 cumulative use of electricity in the common interest community
24 attributable to the installation and use of electric vehicle charging
25 stations requires the installation of additional infrastructure
26 improvements to provide the community with a sufficient supply of
27 electricity, the association may assess the cost of the
28 infrastructure improvements against each unit owner that has, or
29 will, install an electric vehicle charging station.

30 (11) A unit owners association may install an electric vehicle
31 charging station in the common elements for the use of all unit
32 owners and, in that case, the association must develop appropriate
33 terms of use for the charging station.

34 (12) A unit owners association may create a new parking space
35 where one did not previously exist to facilitate the installation of
36 an electric vehicle charging station.

37 (13)(a) A unit owners association that willfully violates this
38 section is liable to the unit owner for actual damages, and shall pay
39 a civil penalty to the unit owner in an amount not to exceed \$1,000.

1 (b) In any action by a unit owner requesting to have an electric
2 vehicle charging station installed and seeking to enforce compliance
3 with this section, the court shall award reasonable attorneys' fees
4 and costs to any prevailing unit owner.

5 (14) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Designated parking space" means a parking space that is
8 specifically designated for use by a particular unit owner, including
9 a garage, a deeded parking space, and a parking space in a limited
10 common element that is restricted for use by one or more unit owners.

11 (b) "Electric vehicle charging station" means a station that
12 delivers electricity from a source outside an electric vehicle into
13 one or more electric vehicles. An electric vehicle charging station
14 may include several charge points simultaneously connecting several
15 electric vehicles to the station and any related equipment needed to
16 facilitate charging plug-in electric vehicles.

17 (c) "Reasonable restriction" means a restriction that does not
18 significantly increase the cost of an electric vehicle charging
19 station or significantly decrease its efficiency or specified
20 performance.

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