



EV CHARGING STATION POLICY AND AGREEMENT INFORMATION SHEET

ABOUT EV CHARGING STATIONS

We are getting more and more questions on whether and how an owner can install an Electric Vehicle (“EV”) Charging Station in the community. The law on EV Charging Stations was introduced under [SBI3-126](#) and [HB23-1233](#), and is now codified in C.R.S. §38-33.3-106.8 of [CCIOA](#). The law requires the allowance of EV Charging Stations in residential common interest communities (other than timeshares).

[Everything You Need to Know About EV Charging Systems](#)

contains a summary and frequently asked questions regarding the EV Charging Station law. Highlights include the following:

- Residential associations must allow EV Charging Stations within unit boundaries, in Limited Common Element (“LCE”) spaces, and in parking spaces accessible to both the owner and other owners (i.e., General Common Element “GCE” spaces).
- While an association may not ban an EV Charging Station, it may:
 - (i) adopt bona fide safety requirements
 - (ii) adopt aesthetic provisions governing the dimensions, placement or external appearance of the station, and
 - (iii) require registration of the station.
- If the station is going to be installed in an LCE space, the association may require the owner agree in writing to:

- ✓ Comply with the association’s design specifications, if any;
- ✓ Use only licensed and registered electrical contractors familiar with the installation and core requirements of the station;
- ✓ Pay for installation and costs to restore Common Elements disturbed in the process;
- ✓ Be responsible for any costs for damages to the station, any other LCE or GCE, and any adjacent units that arise or result from the installation, maintenance, repair, removal, or replacement of the station; and
- ✓ Comply with insurance requirements as set forth in the EV Charging Station law.

WHAT WE CAN DO TO HELP

Given the increase in exposure to maintenance and liability due to the existence of an EV Charging Station, Altitude Community Law strongly recommends that associations adopt an EV Charging Policy that incorporates the above and other requirements of the law and a draft Agreement which shifts the risk to the owner installing the charger.

We will prepare both the EV Charging Policy and Agreement for a fixed fee.

Contact us below for pricing, with questions, or if you would like to move forward with the recommended policy update:



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