



General Assembly

February Session, 2022

***Raised Bill No. 5117***

LCO No. 1128



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:  
(ET)

***AN ACT CONCERNING ELECTRIC VEHICLE CHARGING STATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) As used in this section:

2 (1) "Association" means any association of homeowners, community  
3 association, condominium association, cooperative, common interest  
4 associations or nongovernmental entity with covenants, bylaws and  
5 administrative provisions with which a homeowner's compliance is  
6 required. "Association" includes an association of unit owners, as  
7 defined in section 47-68a of the general statutes, and a common interest  
8 community, as defined in section 47-202 of the general statutes;

9 (2) "Electric vehicle charging station" means an electric component  
10 assembly or cluster of component assemblies designed specifically to  
11 charge batteries within electric vehicles by permitting the transfer of  
12 electric energy to a battery or other storage device in the electric vehicle.  
13 "Electric vehicle charging station" includes any associated metering  
14 equipment; and

15 (3) "Reasonable restrictions" means a restriction that does not

16 significantly increase the cost of the station or significantly decrease its  
17 efficiency or specified performance.

18 (b) Any covenant, restriction or condition contained within any deed,  
19 contract, security instrument or other instrument affecting the transfer  
20 or sale of any interest in a property, or any bylaw or other instrument  
21 that governs the creation or operation of an association, that either  
22 prohibits or unreasonably restricts the installation or use of an electric  
23 vehicle charging station within an owner's unit or in a designated  
24 parking space, including, but not limited to, a deeded parking space, a  
25 parking space in a unit owner's exclusive use common element or a  
26 parking space that is specifically designated for use by a particular unit  
27 owner, or otherwise is in conflict with the provisions of this section, shall  
28 be void and unenforceable.

29 (c) This section shall not apply to:

30 (1) Any contract, covenant, deed, security instrument or other  
31 instrument affecting the transfer or sale of any interest in a property  
32 entered into before October 1, 2022; or

33 (2) An association that: (A) Has bylaws that impose reasonable  
34 restrictions on electric vehicle charging stations; or (B) already provides  
35 electric vehicle charging stations to its unit owners at a ratio that is equal  
36 to or greater than ten per cent of the designated parking spaces.

37 (d) An electric vehicle charging station shall meet all applicable  
38 health and safety standards and requirements imposed by applicable  
39 federal, state or municipal law.

40 (e) If an association requires a unit owner to submit an application for  
41 approval to install an electric vehicle charging station, the association  
42 shall process and approve the application in the same manner as an  
43 application for approval of an architectural modification to the  
44 property. The approval or denial of the application shall be in writing  
45 and shall be issued not later than sixty days after the date of receipt of  
46 the application. If an application is not denied in writing within such

47 sixty-day period, the application shall be deemed approved, unless the  
48 association reasonably requests additional information within sixty  
49 days from the date of receipt of the application.

50 (f) If a unit owner seeks to install an electric vehicle charging station,  
51 the following provisions shall apply:

52 (1) The unit owner shall obtain approval from the association to  
53 install the electric vehicle charging station and the association shall  
54 approve the installation if the owner agrees in writing to do the  
55 following: (A) Comply with the association's architectural standards for  
56 the installation of the electric vehicle charging station; (B) engage a  
57 licensed contractor to install the electric vehicle charging station; (C) if  
58 the proposed electric vehicle charging station is located within a  
59 common element, provide a certificate of insurance, within fourteen  
60 days of approval, that names the association as a named additional  
61 insured under the owner's insurance policy pursuant to subdivision (3)  
62 of this subsection; (D) pay for the costs associated with the installation  
63 of the electric vehicle charging station; and (E) pay the electricity usage  
64 costs associated with the electric vehicle charging station.

65 (2) The unit owner, and each successive owner, of the electric vehicle  
66 charging station shall be responsible for all of the following: (A) Costs  
67 for damage to the electric vehicle charging station, common elements or  
68 separate units resulting from the installation, maintenance, repair,  
69 removal or replacement of the electric vehicle charging station; (B) costs  
70 for the maintenance, repair and replacement of the electric vehicle  
71 charging station until it has been removed; (C) costs for the restoration  
72 of the electric vehicle charging station after it is removed; (D) costs of  
73 electricity associated with the electric vehicle charging station; and (E)  
74 disclosing to prospective buyers (i) the existence of the electric vehicle  
75 charging station, and (ii) the associated responsibilities of the unit owner  
76 under this section.

77 (3) The unit owner of the electric vehicle charging station, whether  
78 located within a separate unit, within the common element or exclusive

79 use common element, shall, at all times, maintain a liability coverage  
80 policy. The owner shall provide the association with the corresponding  
81 certificate of insurance not later than fourteen days after approval of the  
82 application. The owner, and each successor owner, shall provide the  
83 association with the certificate of insurance annually thereafter.

84 (4) A unit owner shall not be required to maintain a liability coverage  
85 policy for an existing national electrical manufacturers association  
86 standard alternating current power plug.

87 (g) Except as provided in subsection (h) of this section, installation of  
88 an electric vehicle charging station for the exclusive use of a unit owner  
89 in a common element, that is not an exclusive use common element,  
90 shall be authorized by the association only if installation in the unit  
91 owner's designated parking space is impossible or unreasonably  
92 expensive. In such cases, the association shall enter into a license  
93 agreement with the owner for the use of the space in a common area and  
94 the owner shall comply with all requirements described in subsection  
95 (f) of this section.

96 (h) An association may install an electric vehicle charging station in  
97 the common element for the use of all members of the association. For  
98 any such electric vehicle charging station, the association shall develop  
99 appropriate terms of use for the electric vehicle charging station.

100 (i) An association may create a new parking space where one did not  
101 previously exist to facilitate the installation of an electric vehicle  
102 charging station.

103 (j) An association may require the unit owner to have the electric  
104 vehicle charging station removed prior to the unit owner's sale of the  
105 property unless the prospective purchaser of the property agrees to take  
106 ownership of the electric vehicle charging station.

107 (k) An association that knowingly violates this section shall pay a  
108 civil penalty of not more than one thousand dollars.

109 (l) In any action by a unit owner seeking to enforce compliance with  
110 this section, the prevailing unit owner shall be awarded reasonable  
111 attorney's fees.

112 Sec. 2. (NEW) (*Effective October 1, 2022*) (a) As used in this section:

113 (1) "Dedicated parking space" means a parking space located within  
114 a lessee's separate interest or a parking spot that is in a common area,  
115 but subject to exclusive use rights of an individual lessee, including, but  
116 not limited to, a garage space, carport or parking space that is  
117 specifically designated for use by a particular lessee;

118 (2) "Dwelling unit" has the same meaning as provided in section 47a-  
119 1 of the general statutes;

120 (3) "Electric vehicle charging station" means an electric component  
121 assembly or cluster of component assemblies designed specifically to  
122 charge batteries within electric vehicles by permitting the transfer of  
123 electric energy to a battery or other storage device in an electric vehicle.  
124 "Electric vehicle charging station" includes any associated metering  
125 equipment;

126 (4) "Landlord" has the same meaning as provided in section 47a-1 of  
127 the general statutes;

128 (5) "Rent" has the same meaning as provided in section 47a-1 of the  
129 general statutes;

130 (6) "Rental agreement" has the same meaning as provided in section  
131 47a-1 of the general statutes; and

132 (7) "Tenant" has the same meaning as provided in section 47a-1 of the  
133 general statutes.

134 (b) Notwithstanding any provision in the rental agreement to the  
135 contrary, for any rental agreement executed, extended or renewed on  
136 and after October 1, 2022, a landlord of a dwelling unit shall approve a  
137 tenant's written request to install an electric vehicle charging station at

138 a dedicated parking space for the tenant that meets the requirements of  
139 this section and complies with the landlord's procedural approval  
140 process for modification to the property.

141 (c) This section shall not apply to residential rental properties where:

142 (1) Electric vehicle charging stations for use by tenants already exist  
143 as of the effective date of this section in a ratio that is equal to or greater  
144 than ten per cent of the designated parking spaces;

145 (2) Parking is not provided as part of the rental agreement; or

146 (3) There are fewer than five parking spaces.

147 (d) A landlord shall not be obligated to provide an additional parking  
148 space to a tenant in order to accommodate an electric vehicle charging  
149 station.

150 (e) If the electric vehicle charging station has the effect of providing  
151 the tenant with a reserved parking space, the landlord may charge a  
152 monthly rental amount for that parking space.

153 (f) An electric vehicle charging station, and all modifications and  
154 improvements to the property, shall comply with federal, state and  
155 municipal law, and all applicable zoning requirements, land use  
156 requirements, and covenants, conditions and restrictions.

157 (g) A tenant's written request to modify the rental property in order  
158 to install an electric vehicle charging station shall indicate his or her  
159 consent to enter into a written agreement that includes, but is not limited  
160 to, the following:

161 (1) Compliance with the landlord's requirements for the installation,  
162 use, maintenance and removal of the electric vehicle charging station  
163 and its infrastructure;

164 (2) Compliance with the landlord's requirements for the tenant to  
165 provide a complete financial analysis and scope of work regarding the

166 installation of the electric vehicle charging station and its infrastructure;

167 (3) Compliance with the landlord's requirements to pay the landlord  
168 any costs associated with the landlord's installation of the electric  
169 vehicle charging station and its infrastructure prior to any modification  
170 or improvement to the rental property. The costs associated with  
171 modifications and improvements include, but are not limited to, the cost  
172 of permits, supervision, construction and, solely if required by the  
173 contractor and consistent with its past performance of work for the  
174 landlord, performance bonds;

175 (4) Compliance with the landlord's requirements to pay, as part of the  
176 tenant's rent, any costs associated with the electrical usage of the electric  
177 vehicle charging station, and costs for damage, maintenance, repair,  
178 removal and replacement of the electric vehicle charging station,  
179 including such modifications or improvements made to the rental  
180 property associated with the electric vehicle charging station; and

181 (5) Compliance with the landlord's requirements to maintain a  
182 general liability insurance policy that covers an electric vehicle charging  
183 station at a tenant's dedicated parking space and to name the landlord  
184 as a named additional insured under the policy commencing with the  
185 date of approval for construction until the tenant forfeits possession of  
186 the dwelling unit to the landlord.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	New section
Sec. 2	<i>October 1, 2022</i>	New section

**Statement of Purpose:**

To require certain contracts affecting real estate to allow for the installation of electric vehicle charging stations and to require increased tenant access to electric vehicle charging stations in their dwelling units or common areas.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*