

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2361 Session of
2024

INTRODUCED BY BRENNAN, JUNE 3, 2024

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
JUNE 3, 2024

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in creation, alteration
3 and termination of condominiums, providing for electric
4 vehicle charging stations; in creation, alteration and
5 termination of cooperatives, providing for electric vehicle
6 charging stations; and, in creation, alteration and
7 termination of planned communities, providing for electric
8 vehicle charging stations.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Title 68 of the Pennsylvania Consolidated
12 Statutes is amended by adding sections to read:

13 § 3224. Electric vehicle charging stations.

14 Notwithstanding contrary provisions of a declaration or
15 bylaws of a condominium:

16 (1) A unit owner may submit an application to install an
17 electric vehicle charging station for the personal,
18 noncommercial use of the unit owner, in compliance with the
19 requirements of this section:

20 (i) in a space assigned to the unit and used for the
21 parking or storage of automobiles, trucks, boats, campers

1 or other vehicles; or

2 (ii) in a limited common element with the written
3 approval of the unit owner of each unit to which use of
4 the limited common element is reserved.

5 (2) A unit owners' association may not prohibit
6 installation or use of a charging station installed and used
7 in compliance with the requirements of this section.

8 (3) When the unit owner complies or agrees to comply
9 with the requirements of this section, the unit owners'
10 association shall approve the completed application within 60
11 days after the unit owner submits the application unless the
12 delay in approving the application is based on a reasonable
13 request for additional information.

14 (4) In addition to such other reasonable rules and
15 regulations as the unit owners' association may adopt, the
16 unit owners' association:

17 (i) May require a unit owner to submit an
18 application before installing a charging station.

19 (ii) May require the charging station to meet the
20 architectural standards of the condominium.

21 (iii) May impose reasonable charges to recover costs
22 of the review and permitting of the charging station.

23 (iv) May impose reasonable restrictions on the
24 installation and use of the charging station that do not
25 significantly increase the cost of the charging station
26 or significantly decrease the efficiency or performance
27 of the charging station.

28 (5) The charging station must be installed by a
29 qualified electrician that:

30 (i) has completed a State registered electrician

1 apprenticeship program;

2 (ii) is in compliance with all applicable State or
3 municipality codes, regulations and ordinances regarding
4 electricians; and

5 (iii) holds a certification from the Electric
6 Vehicle Infrastructure Training Program (EVITP).

7 (6) The unit owner is responsible for:

8 (i) All costs associated with installation and use
9 of the charging station, including:

10 (A) The cost of electricity associated with the
11 charging station.

12 (B) The cost of any damage to general common
13 elements, limited common elements and areas subject
14 to the exclusive use of other unit owners that
15 results from the installation, use, maintenance,
16 repair, removal or replacement of the charging
17 station.

18 (C) Filing reports with the Department of
19 Revenue as required under 75 Pa.C.S. Ch. 90 (relating
20 to liquid fuels and fuels tax).

21 (ii) Disclosure to a prospective buyer of the unit
22 of the existence of the charging station and the related
23 responsibilities of the unit owner under this section.

24 (7) If the unit owners' association reasonably
25 determines that the cumulative use of electricity in the
26 condominium attributable to the installation and use of
27 charging stations requires the installation of additional
28 infrastructure improvements to provide the condominium with a
29 sufficient supply of electricity, or if the unit owners'
30 association reasonably determines that other improvements are

1 reasonably necessary for the safe use and operation of the
2 charging stations, the unit owners' association may condition
3 approval on the unit owner bearing the expense of the cost of
4 the additional improvements against the unit of each unit
5 owner that seeks permission to install a charging station.

6 (8) Unless the unit owner and the unit owners'
7 association agree otherwise:

8 (i) A charging station installed under this section
9 is deemed to be the personal property of the unit owner
10 of the unit with which the charging station is
11 associated.

12 (ii) The unit owner must remove the charging station
13 and restore the premises to the condition before
14 installation of the charging station before the unit
15 owner transfers ownership of the unit, unless the
16 prospective buyer of the unit accepts ownership and all
17 rights and responsibilities that apply to the charging
18 station under this section.

19 (9) Installation of the charging station shall minimally
20 require the following:

21 (i) A pedestal, or similar, charging station that is
22 hard-wired into the electrical system that must be a
23 certified electrical product.

24 (ii) If the unit owner owns the charging station,
25 the unit owner shall:

26 (A) Maintain a homeowner liability insurance
27 policy in an amount not less than \$1,000,000 that
28 includes coverage of the charging station.

29 (B) Name the unit owners' association as a named
30 additional insured under the policy with a right to

1 notice of cancellation of the policy.

2 (10) In an action between a unit owner and a unit
3 owners' association to enforce compliance with this section,
4 the prevailing party is entitled to an award of attorney fees
5 and costs.

6 § 4222. Electric vehicle charging stations.

7 Notwithstanding contrary provisions of a declaration or
8 bylaws of a cooperative:

9 (1) A proprietary lessee may submit an application to
10 install an electric vehicle charging station for the
11 personal, noncommercial use of the proprietary lessee, in
12 compliance with the requirements of this section:

13 (i) in a space assigned to the unit and used for the
14 parking or storage of automobiles, trucks, boats, campers
15 or other vehicles; or

16 (ii) in a limited common element with the written
17 approval of the proprietary lessee of each unit to which
18 use of the limited common element is reserved.

19 (2) An association may not prohibit installation or use
20 of a charging station installed and used in compliance with
21 the requirements of this section.

22 (3) When the proprietary lessee complies or agrees to
23 comply with the requirements of this section, the association
24 shall approve the completed application within 60 days after
25 the proprietary lessee submits the application, unless the
26 delay in approving the application is based on a reasonable
27 request for additional information.

28 (4) In addition to such other reasonable rules and
29 regulations as the association may adopt, the association:

30 (i) May require a proprietary lessee to submit an

1 application before installing a charging station.

2 (ii) May require the charging station to meet the
3 architectural standards of the condominium.

4 (iii) May impose reasonable charges to recover costs
5 of the review and permitting of the charging station.

6 (iv) May impose reasonable restrictions on the
7 installation and use of the charging station that do not
8 significantly increase the cost of the charging station
9 or significantly decrease the efficiency or performance
10 of the charging station.

11 (5) The charging station must be installed by a
12 qualified electrician that:

13 (i) has completed a State registered electrician
14 apprenticeship program;

15 (ii) is in compliance with all applicable State or
16 municipality codes, regulations and ordinances regarding
17 electricians; and

18 (iii) holds a certification from the Electric
19 Vehicle Infrastructure Training Program (EVITP).

20 (6) The proprietary lessee is responsible for:

21 (i) All costs associated with installation and use
22 of the charging station, including:

23 (A) The cost of electricity associated with the
24 charging station.

25 (B) The cost of any damage to general common
26 elements, limited common elements and areas subject
27 to the exclusive use of other proprietary lessees
28 that results from the installation, use, maintenance,
29 repair, removal or replacement of the charging
30 station.

1 (C) Filing reports with the Department of
2 Revenue as required under 75 Pa.C.S. Ch. 90 (relating
3 to liquid fuels and fuels tax).

4 (ii) Disclosure to a prospective buyer of the unit
5 of the existence of the charging station and the related
6 responsibilities of the proprietary lessee under this
7 section.

8 (7) If the association reasonably determines that the
9 cumulative use of electricity in the cooperative attributable
10 to the installation and use of charging stations requires the
11 installation of additional infrastructure improvements to
12 provide the cooperative with a sufficient supply of
13 electricity, or if the association reasonably determines that
14 other improvements are reasonably necessary for the safe use
15 and operation of the charging stations, the association may
16 condition approval of the proprietary lessee bearing the
17 expense of the cost of the additional improvements against
18 the unit of each proprietary lessee that seeks permission to
19 install a charging station.

20 (8) Unless the proprietary lessee and the association
21 agree otherwise:

22 (i) A charging station installed under this section
23 is deemed to be the personal property of the proprietary
24 lessee of the unit with which the charging station is
25 associated.

26 (ii) The proprietary lessee must remove the charging
27 station and restore the premises to the condition before
28 installation of the charging station before the
29 proprietary lessee transfers ownership of the unit,
30 unless the prospective buyer of the unit accepts

1 ownership and all rights and responsibilities that apply
2 to the charging station under this section.

3 (9) Installation of the charging station shall minimally
4 require the following:

5 (i) A pedestal, or similar, charging station that is
6 hard-wired into the electrical system that must be a
7 certified electrical product.

8 (ii) If the proprietary lessee owns the charging
9 station, the proprietary lessee shall:

10 (A) Maintain a homeowner liability insurance
11 policy in an amount not less than \$1,000,000 that
12 includes coverage of the charging station.

13 (B) Name the association as a named additional
14 insured under the policy with a right to notice of
15 cancellation of the policy.

16 (10) In an action between a proprietary lessee and an
17 association to enforce compliance with this section, the
18 prevailing party is entitled to an award of attorney fees and
19 costs.

20 § 5224. Electric vehicle charging stations.

21 Notwithstanding contrary provisions of a declaration or
22 bylaws of a planned community:

23 (1) A unit owner may submit an application to install an
24 electric vehicle charging station for the personal,
25 noncommercial use of the unit owner, in compliance with the
26 requirements of this section:

27 (i) in a space assigned to the unit and used for the
28 parking or storage of automobiles, trucks, boats, campers
29 or other vehicles; or

30 (ii) in a limited common element with the written

1 approval of the unit owner of each unit to which use of
2 the limited common element is reserved.

3 (2) An association may not prohibit installation or use
4 of a charging station installed and used in compliance with
5 the requirements of this section.

6 (3) When the unit owner complies or agrees to comply
7 with the requirements of this section, the association shall
8 approve the completed application within 60 days after the
9 unit owner submits the application unless the delay in
10 approving the application is based on a reasonable request
11 for additional information.

12 (4) In addition to such other reasonable rules and
13 regulations as the association may adopt, the association:

14 (i) May require a unit owner to submit an
15 application before installing a charging station.

16 (ii) May require the charging station to meet the
17 architectural standards of the planned community.

18 (iii) May impose reasonable charges to recover costs
19 of the review and permitting of the charging station.

20 (iv) May impose reasonable restrictions on the
21 installation and use of the charging station that do not
22 significantly increase the cost of the charging station
23 or significantly decrease the efficiency or performance
24 of the charging station.

25 (5) The charging station must be installed by a
26 qualified electrician that:

27 (i) has completed a State registered electrician
28 apprenticeship program;

29 (ii) is in compliance with all applicable State or
30 municipality codes, regulations and ordinances regarding

1 electricians; and

2 (iii) holds a certification from the Electric
3 Vehicle Infrastructure Training Program (EVITP).

4 (6) The unit owner is responsible for:

5 (i) All costs associated with installation and use
6 of the charging station, including:

7 (A) The cost of electricity associated with the
8 charging station.

9 (B) The cost of any damage to general common
10 elements, limited common elements and areas subject
11 to the exclusive use of other unit owners that
12 results from the installation, use, maintenance,
13 repair, removal or replacement of the charging
14 station.

15 (C) Filing reports with the Department of
16 Revenue as required under 75 Pa.C.S. Ch. 90 (relating
17 to liquid fuels and fuels tax).

18 (ii) Disclosure to a prospective buyer of the unit
19 of the existence of the charging station and the related
20 responsibilities of the unit owner under this section.

21 (7) If the association reasonably determines that the
22 cumulative use of electricity in the planned community
23 attributable to the installation and use of charging stations
24 requires the installation of additional infrastructure
25 improvements to provide the planned community with a
26 sufficient supply of electricity, or if the association
27 reasonably determines that other improvements are reasonably
28 necessary for the safe use and operation of the charging
29 stations, the association may condition approval of the unit
30 owner bearing the expense of the cost of the additional

1 improvements against the unit of each unit owner that seeks
2 permission to install a charging station.

3 (8) Unless the unit owner and the association agree
4 otherwise:

5 (i) A charging station installed under this section
6 is deemed to be the personal property of the unit owner
7 of the unit with which the charging station is
8 associated.

9 (ii) The unit owner must remove the charging station
10 and restore the premises to the condition before
11 installation of the charging station before the unit
12 owner transfers ownership of the unit, unless the
13 prospective buyer of the unit accepts ownership and all
14 rights and responsibilities that apply to the charging
15 station under this section.

16 (9) Installation of the charging station shall minimally
17 require the following:

18 (i) A pedestal, or similar, charging station that is
19 hard-wired into the electrical system that must be a
20 certified electrical product.

21 (ii) If the unit owner owns the charging station,
22 the unit owner shall:

23 (A) Maintain a homeowner liability insurance
24 policy in an amount not less than \$1,000,000 that
25 includes coverage of the charging station.

26 (B) Name the association as a named additional
27 insured under the policy with a right to notice of
28 cancellation of the policy.

29 (10) In an action between a unit owner and an
30 association to enforce compliance with this section, the

1 prevailing party is entitled to an award of attorney fees and
2 costs.

3 Section 2. This act shall take effect in 60 days.