

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0218.01 Yelana Love x2295

HOUSE BILL 24-1161

HOUSE SPONSORSHIP

Ortiz,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING BASIC ACCESS FOR INDIVIDUALS WITH DISABILITIES
102 USING MOTOR VEHICLES.

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>.)

Section 1 of the bill requires a car sharing program operating in the state to ensure, on and after January 1, 2028, that for each shared car available through the program, the program shall indicate the car's accessibility modifications. A car sharing program that makes a reasonable effort to obtain accurate information from the shared car owner regarding any modification for accessibility is not liable for

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.

incorrect or false information provided by the shared car owner.

Sections 2 and 3 require that on and after January 1, 2026, a local government may approve the new construction or remodel of an electric vehicle charging station only if the station is built with a minimum of 120 inches of width with 36 inch access aisles and at a height accessible for an individual using a wheelchair (accessible charging station). By January 1, 2028, all electric vehicle charging station locations with more than one charging station must provide the same proportion of accessible charging stations as the federal "Americans with Disabilities Act" requires of parking spaces.

Section 4 clarifies that an individual shall not block reasonable access to reserved parking by any means. A peace officer is required to investigate a complaint that accessible parking has been blocked within a reasonable time.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 6-1-1215 as
3 follows:

4 **6-1-1215. Shared car accessibility.** (1) EFFECTIVE JANUARY 1,
5 2028, AT THE TIME A SHARED CAR IS FIRST MADE AVAILABLE THROUGH A
6 CAR SHARING PROGRAM, THE PROGRAM MUST ENABLE THE SHARED CAR
7 OWNER TO INDICATE WHETHER THE SHARED CAR HAS BEEN MODIFIED FOR
8 ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.

9 (2) IF A SHARED CAR OWNER HAS INDICATED THAT THE SHARED
10 CAR HAS BEEN MODIFIED FOR ACCESSIBILITY PURSUANT TO SUBSECTION
11 (1) OF THIS SECTION, THE SHARED CAR OWNER SHALL LIST WHAT
12 MODIFICATIONS HAVE BEEN MADE, INCLUDING WHAT ADAPTIVE
13 EQUIPMENT IS AVAILABLE.

14 (3) A CAR SHARING PROGRAM THAT MAKES A REASONABLE EFFORT
15 TO OBTAIN ACCURATE INFORMATION FROM A SHARED CAR OWNER
16 REGARDING ANY MODIFICATION FOR ACCESSIBILITY IS NOT LIABLE FOR
17 INCORRECT OR FALSE INFORMATION PROVIDED BY THE SHARED CAR

1 OWNER.

2 **SECTION 2.** In Colorado Revised Statutes, **amend** 30-28-212 as
3 follows:

4 **30-28-212. Charging station restriction rules prohibited -**
5 **accessible charging stations.** (1) (a) Notwithstanding any authority
6 granted to a board of county commissioners by this part 2, the board shall
7 not adopt an ordinance or a resolution prohibiting the installation of or
8 utilization of electric vehicle charging stations unless the ordinance or
9 resolution is narrowly drafted to address a bona fide safety concern. The
10 board shall not restrict parking based on a vehicle being a plug-in hybrid
11 vehicle or plug-in electric vehicle.

12 ~~(2)~~ (b) A county official shall not prohibit the installation of or
13 utilization of an electric vehicle charging station, or restrict parking based
14 on a vehicle being a plug-in hybrid vehicle or plug-in electric vehicle,
15 unless expressly authorized by ordinance or resolution.

16 ~~(3)~~ (c) Any ordinance or resolution promulgated by ~~the~~ A board
17 of county commissioners that prohibits the installation of or utilization of
18 electric vehicle charging stations, or that restricts parking based on a
19 vehicle being a plug-in hybrid vehicle or plug-in electric vehicle, is
20 subject to judicial review in the district court with jurisdiction over the
21 county.

22 (2) BEGINNING JANUARY 1, 2026, A BOARD OF COUNTY
23 COMMISSIONERS SHALL NOT APPROVE THE INSTALLATION OR REMODEL OF
24 AN ELECTRIC VEHICLE CHARGING STATION UNLESS THE STATION IS BUILT
25 WITH A MINIMUM OF ONE HUNDRED TWENTY INCHES OF WIDTH WITH
26 THIRTY-SIX INCH ACCESS AISLES AND AT A HEIGHT ACCESSIBLE FOR AN
27 INDIVIDUAL USING A WHEELCHAIR.

1 (3) NO LATER THAN JANUARY 1, 2028, A BOARD OF COUNTY
2 COMMISSIONERS SHALL REQUIRE EACH LOCATION WITH MULTIPLE
3 ELECTRIC VEHICLE CHARGING STATIONS TO ADHERE TO THE SAME
4 PROPORTION OF ACCESSIBLE CHARGING STATION REQUIREMENTS THAT THE
5 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
6 12101 ET SEQ., AS AMENDED, ESTABLISHES FOR ACCESSIBLE PARKING;
7 EXCEPT THAT, IF A LOCATION INCLUDES ONLY ONE ELECTRIC VEHICLE
8 CHARGING STATION, THE STATION MUST MEET THE REQUIREMENTS OF
9 SUBSECTION (2) OF THIS SECTION, AND THE STATION'S USE IS NOT
10 REQUIRED TO BE LIMITED TO INDIVIDUALS WITH DISABILITIES.

11 **SECTION 3.** In Colorado Revised Statutes, 31-23-315, **amend**
12 (2)(a); and **add** (2)(c) and (2)(d) as follows:

13 **31-23-315. Parking and electric vehicle charging stations -**
14 **legislative declaration - conflict of law.** (2) For the purposes of any
15 minimum parking requirement imposed by the governing body of a
16 municipality:

17 (a) Any parking space served by an electric vehicle charging
18 station or any parking space used to site electric vehicle charging
19 equipment must be counted as at least one standard automobile parking
20 space; **and**

21 (c) AN ELECTRIC VEHICLE CHARGING STATION CONSTRUCTED OR
22 REMODELED ON AND AFTER JANUARY 1, 2026, MUST BE BUILT WITH A
23 MINIMUM OF ONE HUNDRED TWENTY INCHES OF WIDTH WITH THIRTY-SIX
24 INCH ACCESS AISLES AND AT A HEIGHT ACCESSIBLE FOR AN INDIVIDUAL
25 USING A WHEELCHAIR; AND

26 (d) EFFECTIVE JANUARY 1, 2028, AN ELECTRIC VEHICLE CHARGING
27 STATION LOCATION WITH MULTIPLE ELECTRIC VEHICLE CHARGING

1 STATIONS MUST ADHERE TO THE SAME PROPORTION OF ACCESSIBLE
2 CHARGING STATION REQUIREMENTS THAT THE FEDERAL "AMERICANS WITH
3 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,
4 ESTABLISHES FOR ACCESSIBLE PARKING; EXCEPT THAT, IF THE LOCATION
5 INCLUDES ONLY ONE ELECTRIC VEHICLE CHARGING STATION, THE STATION
6 MUST MEET THE REQUIREMENTS OF SUBSECTION (2)(c) OF THIS SECTION,
7 AND THE STATION'S USE IS NOT REQUIRED TO BE LIMITED TO INDIVIDUALS
8 WITH DISABILITIES.

9 **SECTION 4.** In Colorado Revised Statutes, 42-4-1208, **amend**
10 **(6)(c); and add (4)(a.5) as follows:**

11 **42-4-1208. Reserved parking for persons with disabilities -**
12 **applicability - rules. (4) Blocking access. (a.5) A PERSON SHALL NOT**
13 **BLOCK REASONABLE ACCESS TO RESERVED PARKING BY ANY MEANS,**
14 **INCLUDING USING RESERVED PARKING TO STORE SNOW OR ALLOWING A**
15 **PERSON WHO IS NOT A HOLDER TO USE THE RESERVED PARKING.**

16 **(6) Enforcement of reserved parking. (c) A peace officer and**
17 **the department may investigate an allegation that a person is violating this**
18 **section; EXCEPT THAT, IF A PEACE OFFICER RECEIVES A COMPLAINT OF A**
19 **VIOLATION OF SUBSECTION (4) OF THIS SECTION, THE PEACE OFFICER**
20 **SHALL INVESTIGATE THE COMPLAINT WITHIN A REASONABLE TIME.**

21 **SECTION 5. Safety clause.** The general assembly finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety or for appropriations for
24 the support and maintenance of the departments of the state and state
25 institutions.