

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-1096.02 Richard Sweetman x4333

SENATE BILL 24-208

SENATE SPONSORSHIP

Priola and Winter F.,

HOUSE SPONSORSHIP

Mauro and Rutinel,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING STANDARDIZATION OF ELECTRIC VEHICLE CHARGING**
102 **STATIONS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE**
103 **ELECTRIC VEHICLE ENTERPRISE AND THE ELECTRIC VEHICLE**
104 **ENTERPRISE SPECIAL REVENUE FUND.**

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>.)

The bill creates the electric vehicle enterprise (enterprise) in the department of labor and employment (department). The business purpose of the enterprise is to synchronize electric vehicle charging protocols to

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.

create consistency and transparency for electric vehicle charging consumers.

The enterprise constitutes an enterprise for purposes of section 20 of article X of the state constitution so long as it retains the authority to issue revenue bonds and receives less than 10% of its total annual revenue in grants from all Colorado state and local governments combined. So long as it constitutes an enterprise, the enterprise is not subject to section 20 of article X of the state constitution.

The bill establishes a board of directors for the enterprise, including the board's membership, powers, and duties.

The bill authorizes the enterprise to impose and collect a fee beginning July 1, 2025, to be paid by each electric vehicle charging station retailer based on the total number of retail electric vehicle charging stations operated by the retailer and the total number of power supply devices used at such stations.

The bill creates the electric vehicle enterprise special revenue fund (fund) and continuously appropriates money in the fund to the enterprise to accomplish its duties.

The bill requires the state treasurer, on July 1, 2024, to transfer \$264,000 from the general fund to the fund and, on July 1, 2025, to transfer \$160,000 from the general fund to the fund for the purpose of defraying expenses incurred by the enterprise before it receives fee revenue or revenue bond proceeds. The money is transferred as a loan to the enterprise, to be paid in full not later than December 31, 2028, with interest.

The bill requires the enterprise, in consultation with the Colorado energy office and the division of oil and public safety within the department, to promulgate rules establishing minimum standards related to specifications and tolerances for retail electric vehicle charging equipment and methods of retail sale at publicly accessible electric vehicle charging stations to promote equity in the marketplace. The department must begin enforcing the rules on July 1, 2025, for all electric vehicle charging stations installed before, on, or after July 1, 2025.

For the purposes of existing laws concerning fuel products, the bill amends the definitions of the terms "fuel products" and "motor fuel" to include electricity when used to fuel electric vehicles.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 8-20-107 as
3 follows:

4 **8-20-107. Electric vehicle enterprise - creation - board of**

1 **directors - electric vehicle enterprise special revenue fund - duties of**
2 **enterprise - registration fees - revenue bonds - rules - legislative**
3 **declaration - definitions - repeal. (1) Legislative declaration. (a) THE**

4 GENERAL ASSEMBLY FINDS THAT:

5 (I) AS MORE ELECTRIC VEHICLES ENTER THE MARKETPLACE, THERE
6 IS A DEMAND AND A NEED FOR MORE RETAIL ELECTRIC VEHICLE CHARGING
7 STATIONS FOR ELECTRIC VEHICLE OWNERS AND DRIVERS; AND

8 (II) GIVEN THE RECENT INCREASES IN THE NUMBER AND TYPES OF
9 ELECTRIC VEHICLE CHARGING STATIONS IN COLORADO, THERE IS A NEED
10 FOR A STANDARDIZATION OF WEIGHTS AND MEASURES USED IN
11 ASSOCIATION WITH ELECTRIC VEHICLE CHARGING TO ENSURE
12 CONSISTENCY ACROSS THE INDUSTRY AND ACCURACY FOR CONSUMER
13 CONFIDENCE AND CONVENIENCE.

14 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT:

15 (I) THE ELECTRIC VEHICLE ENTERPRISE CREATED IN THIS SECTION
16 WILL BENEFIT COLORADO CONSUMERS BY ADDRESSING THE CURRENT
17 LACK OF UNIFORMITY AMONG RETAIL ELECTRIC VEHICLE CHARGING
18 STATIONS WITH REGARD TO WEIGHTS AND MEASURES;

19 (II) ON JULY 1, 2025, EACH ELECTRIC VEHICLE CHARGING STATION
20 RETAILER WILL BEGIN PAYING A REGISTRATION FEE BASED ON THE TOTAL
21 NUMBER OF RETAIL ELECTRIC VEHICLE CHARGING STATIONS OPERATED BY
22 THE RETAILER AND THE TOTAL AMOUNT OF ELECTRIC VEHICLE SUPPLY
23 EQUIPMENT USED AT SUCH STATIONS;

24 (III) THE ELECTRIC VEHICLE ENTERPRISE WILL PROMULGATE RULES
25 TO SYNCHRONIZE RETAIL ELECTRIC VEHICLE CHARGING PROTOCOLS AND
26 CREATE CONSISTENCY AND TRANSPARENCY FOR ELECTRIC VEHICLE
27 CHARGING CONSUMERS. THE THIRD-PARTY TESTING AND VERIFICATION

1 PROCESS DIRECTLY BENEFITS ELECTRIC VEHICLE CHARGING STATION
2 RETAILERS BY IDENTIFYING ISSUES WITH RETAIL CHARGING STATIONS AND
3 MINIMIZING SERVICE DISRUPTION FOR THEIR CONSUMERS. IN ADDITION,
4 BOTH RETAILERS AND CONSUMERS BENEFIT FROM ELECTRIC VEHICLE
5 CHARGING STATIONS BEING TESTED BY A THIRD-PARTY ENTITY. BY
6 PROVIDING A DIRECT BENEFIT TO FEE PAYERS, THE ENTERPRISE OPERATES
7 AS A BUSINESS IN ACCORDANCE WITH THE DETERMINATION OF THE
8 COLORADO COURT OF APPEALS IN *TABOR FOUND. V. COLO. BRIDGE ENTER.*,
9 2014 COA 106, 353 P.3d 896.

10 (IV) THE NEEDS AND OPERATIONS OF RETAIL ELECTRIC VEHICLE
11 CHARGING STATIONS ARE UNIQUE; THEREFORE, IT IS NECESSARY TO
12 INCLUDE INDIVIDUALS REPRESENTING THE ELECTRIC VEHICLE INDUSTRY
13 IN THE MEMBERSHIP OF THE ELECTRIC VEHICLE ENTERPRISE BOARD OF
14 DIRECTORS;

15 (V) SO LONG AS THE ELECTRIC VEHICLE ENTERPRISE QUALIFIES AS
16 AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
17 CONSTITUTION, THE REVENUE FROM ELECTRIC VEHICLE CHARGING
18 STATION FEES COLLECTED BY THE ENTERPRISE IS NOT STATE FISCAL YEAR
19 SPENDING, AS DEFINED IN SECTION 24-77-102 (17), OR STATE REVENUES,
20 AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT
21 AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY
22 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS
23 STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I)(G);
24 AND

25 (VI) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
26 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
27 P.2d 859 (COLO. 1995), THE POWER TO IMPOSE TAXES IS INCONSISTENT

1 WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE
2 CONSTITUTION, AND IT IS THE CONCLUSION OF THE GENERAL ASSEMBLY
3 THAT THE REVENUE THE ELECTRIC VEHICLE ENTERPRISE RECEIVES AS
4 REGISTRATION FEES ARE FEES, NOT TAXES, BECAUSE THE FEE AMOUNTS
5 CREDITED TO THE ELECTRIC VEHICLE ENTERPRISE SPECIAL REVENUE FUND
6 ARE:

7 (A) FOR THE SPECIFIC PURPOSE OF ALLOWING THE ELECTRIC
8 VEHICLE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BUSINESS
9 SERVICES SPECIFIED IN THIS SECTION THAT BENEFIT THE FEE PAYERS; AND

10 (B) COLLECTED AT RATES THAT ARE REASONABLY CALCULATED
11 BASED ON THE COST OF THE BUSINESS SERVICES THE ENTERPRISE
12 PROVIDES.

13 (2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
14 OTHERWISE REQUIRES:

15 (a) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE
16 ENTERPRISE.

17 (b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
18 OFFICE CREATED IN SECTION 24-38.5-101.

19 (c) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
20 EMPLOYMENT.

21 (d) "DIVISION OF OIL AND PUBLIC SAFETY" MEANS THE DIVISION OF
22 OIL AND PUBLIC SAFETY CREATED IN SECTION 8-20-101.

23 (e) "ELECTRIC VEHICLE CHARGING STATION" MEANS A LOCATION
24 THAT FEATURES ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT SUPPLIES
25 ELECTRICAL POWER FOR RECHARGING PLUG-IN ELECTRIC VEHICLES.

26 (f) "ELECTRIC VEHICLE CHARGING STATION RETAILER" MEANS A
27 PERSON WHO OWNS OR OPERATES A RETAIL ELECTRIC VEHICLE CHARGING

1 STATION. "ELECTRIC VEHICLE CHARGING STATION RETAILER" DOES NOT
2 INCLUDE ANY ENTITY THAT IS EXEMPT PURSUANT TO RULES PROMULGATED
3 UNDER SUBSECTION (10)(a) OF THIS SECTION.

4 (g) "ELECTRIC VEHICLE SUPPLY EQUIPMENT" MEANS EQUIPMENT
5 THAT ENABLES A CONSUMER TO CONNECT AND CHARGE AN ELECTRIC
6 VEHICLE AT AN ELECTRIC VEHICLE CHARGING STATION.

7 (h) "ENTERPRISE" MEANS THE ELECTRIC VEHICLE ENTERPRISE
8 CREATED IN SUBSECTION (3) OF THIS SECTION.

9 (i) "FUND" MEANS THE ELECTRIC VEHICLE ENTERPRISE SPECIAL
10 REVENUE FUND CREATED IN SUBSECTION (8) OF THIS SECTION.

11

12 (j) "RETAIL ELECTRIC VEHICLE CHARGING STATION" MEANS AN
13 ELECTRIC VEHICLE CHARGING STATION AT WHICH AN ELECTRIC VEHICLE
14 CHARGING STATION RETAILER CHARGES A FEE TO VEHICLE OWNERS OR
15 OPERATORS FOR RECHARGING AN ELECTRIC VEHICLE.

16 (3) (a) THE ELECTRIC VEHICLE ENTERPRISE IS CREATED IN THE
17 DEPARTMENT. THE ENTERPRISE IS AND OPERATES AS A
18 GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT IN ORDER TO
19 EXECUTE ITS BUSINESS PURPOSE AS SPECIFIED IN SUBSECTION (5) OF THIS
20 SECTION BY EXERCISING THE POWERS AND PERFORMING THE DUTIES SET
21 FORTH IN THIS SECTION.

22 (b) THE ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
23 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
24 FUNCTIONS UNDER THE DEPARTMENT.

25 (c) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
26 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT
27 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS

1 THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN GRANTS FROM ALL
2 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT
3 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (3), THE
4 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE
5 CONSTITUTION.

6 (4) (a) THE BOARD OF DIRECTORS OF THE ENTERPRISE CONSISTS OF
7 THE FOLLOWING FIVE MEMBERS:

8 (I) THE DIRECTOR OF THE DIVISION OF OIL AND PUBLIC SAFETY OR
9 THE DIRECTOR'S DESIGNEE;

10 (II) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE
11 DIRECTOR'S DESIGNEE; AND

12 (III) THREE REPRESENTATIVES FROM THE ELECTRIC VEHICLE
13 INDUSTRY TO BE APPOINTED BY THE GOVERNOR ON OR BEFORE SEPTEMBER
14 1, 2024, PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION.

15 (b) THE MEMBERS OF THE BOARD APPOINTED BY THE GOVERNOR
16 PURSUANT TO SUBSECTION (4)(a)(III) OF THIS SECTION SHALL EACH SERVE
17 TERMS OF THREE YEARS; EXCEPT THAT THE FOLLOWING MEMBERS SHALL
18 SERVE THE FOLLOWING INITIAL TERMS AS DETERMINED BY THE GOVERNOR:

19 (I) ONE OF THE APPOINTED MEMBERS SHALL SERVE AN INITIAL
20 TERM OF ONE YEAR; AND

21 (II) ONE OF THE APPOINTED MEMBERS SHALL SERVE AN INITIAL
22 TERM OF TWO YEARS.

23 (c) EACH MEMBER MAY SERVE AN UNLIMITED NUMBER OF TERMS.
24 A MEMBER WHO IS APPOINTED TO FILL A VACANCY ON THE BOARD SHALL
25 SERVE THE REMAINDER OF THE UNEXPIRED TERM OF THE FORMER MEMBER.

26 (d) MEMBERS OF THE BOARD SERVE WITHOUT COMPENSATION BUT
27 MUST BE REIMBURSED FROM MONEY IN THE FUND FOR ACTUAL AND

1 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THE MEMBERS'
2 DUTIES PURSUANT TO THIS SECTION.

3 (5) THE BUSINESS PURPOSE OF THE ENTERPRISE IS TO SYNCHRONIZE
4 ELECTRIC VEHICLE CHARGING PROTOCOLS TO CREATE CONSISTENCY AND
5 TRANSPARENCY FOR ELECTRIC VEHICLE CHARGING CONSUMERS AND TO
6 PROVIDE TESTING AND VERIFICATION OF RETAIL ELECTRIC VEHICLE
7 CHARGING STATIONS. TO ALLOW THE ENTERPRISE TO ACCOMPLISH THIS
8 PURPOSE AND FULLY EXERCISE ITS POWERS AND DUTIES THROUGH THE
9 BOARD, THE ENTERPRISE MAY:

10 (a) IMPOSE AND COLLECT A FEE AS AUTHORIZED BY SUBSECTION
11 (6) OF THIS SECTION; ==

12 (b) ISSUE REVENUE BONDS PAYABLE FROM THE REVENUE AND
13 OTHER AVAILABLE MONEY OF THE ENTERPRISE PURSUANT TO SUBSECTION
14 (7) OF THIS SECTION;

15 (c) SUPERVISE THE ELECTRIC VEHICLE ENTERPRISE;

16 (d) ACQUIRE, HOLD TITLE TO, AND DISPOSE OF REAL AND
17 PERSONAL PROPERTY AS NECESSARY IN THE EXERCISE OF ITS POWERS AND
18 PERFORMANCE OF ITS DUTIES;

19 (e) CONTRACT WITH ANY PUBLIC OR PRIVATE ENTITY;

20 (f) REQUEST THE STATE TREASURER TO ACT AS ADVISOR TO THE
21 ENTERPRISE TO ISSUE SUCH BONDS AND NOTES AS ARE NECESSARY TO
22 MAINTAIN ADEQUATE BALANCES IN THE FUND; AND

23 (g) HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY OR
24 INCIDENTAL TO OR IMPLIED FROM THE SPECIFIC POWERS AND DUTIES
25 GRANTED BY THIS SECTION.

26 (6) IN FURTHERANCE OF ITS BUSINESS PURPOSE, BEGINNING JULY
27 1, 2025, THE ENTERPRISE MAY IMPOSE AND COLLECT A FEE IN SUCH

1 REASONABLE AMOUNT AS IS NECESSARY TO OFFSET THE DIRECT AND
2 INDIRECT COSTS, INCLUDING THE COSTS FOR SALARIES AND OPERATING
3 EXPENSES, INCURRED BY THE ENTERPRISE PURSUANT TO THIS ARTICLE 20.
4 ALL FEE REVENUE SHALL BE CREDITED TO THE FUND. EACH ELECTRIC
5 VEHICLE CHARGING STATION RETAILER SHALL PAY THE FEE BASED ON THE
6 TOTAL NUMBER OF RETAIL ELECTRIC VEHICLE CHARGING STATIONS
7 OPERATED BY THE RETAILER AND THE TOTAL AMOUNT OF ELECTRIC
8 VEHICLE SUPPLY EQUIPMENT USED AT SUCH STATIONS.

9 (7) THE ENTERPRISE MAY ISSUE REVENUE BONDS FOR THE
10 EXPENSES OF THE ENTERPRISE, WHICH BONDS MAY BE SECURED BY ANY
11 REVENUES OF THE ENTERPRISE. REVENUE FROM THE BONDS ISSUED
12 PURSUANT TO THIS SUBSECTION (7) SHALL BE DEPOSITED INTO THE FUND.

13 (8)(a) THE ELECTRIC VEHICLE ENTERPRISE SPECIAL REVENUE FUND
14 IS CREATED IN THE STATE TREASURY. THE ENTERPRISE SHALL USE THE
15 MONEY IN THE FUND FOR THE PURPOSES DESCRIBED IN THIS SECTION. THE
16 FUND CONSISTS OF FEE REVENUE CREDITED TO THE FUND PURSUANT TO
17 SUBSECTION (6) OF THIS SECTION; MONEY GENERATED FROM THE ISSUANCE
18 OF REVENUE BONDS PURSUANT TO SUBSECTION (7) OF THIS SECTION;
19 MONEY CREDITED TO THE FUND PURSUANT TO SUBSECTION (8)(b) OF THIS
20 SECTION; MONETARY GIFTS, GRANTS, DONATIONS, OR OTHER PAYMENTS
21 RECEIVED BY THE ENTERPRISE; ANY FEDERAL MONEY THAT MAY BE
22 CREDITED TO THE FUND; AND ANY OTHER MONEY THAT THE GENERAL
23 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE
24 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
25 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. MONEY
26 IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE FOR
27 THE PURPOSES SET FORTH IN THIS SECTION AND TO PAY THE ENTERPRISE'S

1 REASONABLE AND NECESSARY OPERATING EXPENSES, INCLUDING THE
2 REPAYMENT OF ANY LOAN RECEIVED PURSUANT TO SUBSECTION (8)(b) OF
3 THIS SECTION.

4 (b) (I) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
5 TWO HUNDRED SIXTY-FOUR THOUSAND DOLLARS FROM THE GENERAL
6 FUND TO THE FUND, AND ON JULY 1, 2025, THE STATE TREASURER SHALL
7 TRANSFER ONE HUNDRED SIXTY THOUSAND DOLLARS FROM THE GENERAL
8 FUND TO THE FUND FOR THE PURPOSE OF DEFRAYING EXPENSES INCURRED
9 BY THE ENTERPRISE BEFORE IT RECEIVES FEE REVENUE OR REVENUE BOND
10 PROCEEDS. THE ENTERPRISE MAY ACCEPT AND EXPEND ANY OF THE
11 MONEY TRANSFERRED, AND, NOTWITHSTANDING ANY STATE FISCAL RULE
12 OR GENERALLY ACCEPTED ACCOUNTING PRINCIPLE THAT COULD
13 OTHERWISE BE INTERPRETED TO REQUIRE A CONTRARY CONCLUSION, SUCH
14 TRANSFERS ARE A LOAN FROM THE DEPARTMENT TO THE ENTERPRISE THAT
15 MUST BE REPAYED AND ARE NOT A GRANT FOR PURPOSES OF SECTION 20
16 (2)(d) OF ARTICLE X OF THE STATE CONSTITUTION OR AS DEFINED IN
17 SECTION 24-77-102 (7). ALL MONEY TRANSFERRED AS A LOAN TO THE
18 ENTERPRISE IS CREDITED TO THE FUND OR TO AN ACCOUNT IN THE FUND.
19 LOAN LIABILITIES THAT ARE RECORDED IN THE FUND BUT NOT REQUIRED
20 TO BE PAID IN THE CURRENT FISCAL YEAR SHALL NOT BE CONSIDERED
21 WHEN CALCULATING SUFFICIENT STATUTORY FUND BALANCE FOR
22 PURPOSES OF SECTION 24-75-109.

23 (II) NO LATER THAN DECEMBER 31, 2028, THE ENTERPRISE SHALL
24 REPAY THE LOAN OF FOUR HUNDRED TWENTY-FOUR THOUSAND DOLLARS
25 RECEIVED PURSUANT TO SUBSECTION (8)(b)(I) OF THIS SECTION,
26 INCLUDING ACCUMULATED INTEREST. INTEREST ACCRUES ON THE MONEY
27 BORROWED AT A RATE PER ANNUM ON THE MOST RECENTLY ISSUED

1 TEN-YEAR UNITED STATES TREASURY NOTE, ROUNDED TO THE NEAREST
2 ONE-TENTH OF ONE PERCENT, AS REPORTED BY THE "WALL STREET
3 JOURNAL", BEGINNING JULY 1, 2025, AND CONTINUING UNTIL THE DATE
4 UPON WHICH THE MONEY IS REPAID.

5 (III) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1,
6 2029.

7 (9) (a) ON OR BEFORE JULY 1, 2025, THE ENTERPRISE SHALL
8 PROMULGATE RULES ESTABLISHING MINIMUM STANDARDS AS PUBLISHED
9 IN THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
10 HANDBOOK 44, AS AMENDED, RELATED TO SPECIFICATIONS AND
11 TOLERANCES FOR RETAIL ELECTRIC VEHICLE CHARGING EQUIPMENT AND
12 METHODS OF RETAIL SALE AT PUBLICLY ACCESSIBLE ELECTRIC VEHICLE
13 CHARGING STATIONS TO PROMOTE UNIFORMITY IN THE MARKETPLACE. THE
14 RULES DO NOT APPLY TO:

15 (I) THE USE OF ANY MEASURE OR MEASURING DEVICE THAT IS
16 OWNED, MAINTAINED, AND USED BY A PUBLIC UTILITY, A MUNICIPALLY
17 OWNED UTILITY, OR A COOPERATIVE ELECTRIC ASSOCIATION FOR THE SOLE
18 PURPOSE OF MEASURING ELECTRICITY;

19 (II) ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT IS USED SOLELY
20 FOR DISPENSING ELECTRICAL ENERGY IN CONNECTION WITH OPERATIONS
21 IN WHICH THE AMOUNT DISPENSED DOES NOT AFFECT CONSUMER CHARGES
22 OR COMPENSATION; OR

23 (III) THE WHOLESALE DELIVERY OF ELECTRICITY.

24 (b) THE ENTERPRISE MAY CONSULT WITH THE DIVISION OF OIL AND
25 PUBLIC SAFETY AND THE COLORADO ENERGY OFFICE IN ORDER TO
26 PROMULGATE THE RULES.

27 (c) THE ENTERPRISE SHALL BEGIN IMPLEMENTING THE RULES ON

1 JULY 1, 2025, FOR ALL ELECTRIC VEHICLE CHARGING STATIONS INSTALLED
2 BEFORE, ON, OR AFTER JULY 1, 2025. ELECTRIC VEHICLE CHARGING
3 STATIONS INSTALLED PRIOR TO JULY 1, 2025, SHALL COMPLY WITH THE
4 DEFERRED SCHEDULE ESTABLISHED IN RULES.

5 (10) THE ENTERPRISE MAY ENGAGE THE SERVICES OF
6 CONTRACTORS AND CONSULTANTS, INCLUDING THE DEPARTMENT AND THE
7 ATTORNEY GENERAL'S OFFICE, FOR PROFESSIONAL AND TECHNICAL
8 ASSISTANCE AND ADVICE FOR THE PROVISION OF OTHER SERVICES
9 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE.

10 SECTION 2. In Colorado Revised Statutes, 8-20-201, **amend** (2)
11 and (4.5)(a) as follows:

12 **8-20-201. Definitions.** As used in this part 2, unless the context
13 otherwise requires:

14 (2) "Fuel products" means all gasoline; aviation gasoline; aviation
15 turbine fuel; diesel; jet fuel; fuel oil; biodiesel; biodiesel blends;
16 kerosene; ~~and~~ alcohol blended fuels; liquefied petroleum gas; gas or
17 gaseous compounds, including hydrogen; natural gas, including
18 compressed natural gas and liquefied natural gas; ELECTRICITY WHEN
19 USED TO FUEL ELECTRIC VEHICLES; and ~~and~~ other volatile, flammable, or
20 combustible liquids that are produced, compounded, and offered for sale
21 or used for the purpose of generating heat, light, or power in internal
22 combustion engines or fuel cells, for cleaning, or for any other similar
23 usage.

24 (4.5) (a) "Motor fuel" means:

25 (I) Any liquid or gas used as fuel to generate power in engines or
26 motors; AND

27 (II) ELECTRICITY FOR RETAIL ELECTRIC VEHICLE CHARGING.

1 **SECTION 3. Safety clause.** The general assembly finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety or for appropriations for
4 the support and maintenance of the departments of the state and state
5 institutions.