



Department of Consumer  
and Business Services

## HB 2180 (2021) EV Parking Infrastructure Implementation

### Purpose of the rule:

These rule changes implement electric vehicle (EV) parking infrastructure requirements under HB 2180 (2021) and ORS 455.417. The rules establish standards for what constitutes electric vehicle infrastructure, which newly constructed building types, and their associated parking, have to comply with the requirements, and sets a minimum percentage of parking spaces that must have EV parking infrastructure installed at time of construction. The rules also create a local land use path to require a higher percentage of parking spaces that are required to have EV parking infrastructure. Additional now obsolete rules and references are also repealed or modified to align with the requirements of HB 2180.

### Citation:

Adopts: OAR 918-460-0200

Amends: OAR 918-305-0030

Repeals: OAR 918-020-0380

This rule is effective July 1, 2022.

### Background:

During the 2021 session the legislature passed HB 2180 which created requirements for certain newly constructed buildings to provide the necessary infrastructure, consisting of service capacity or space to provide additional future service capacity as well as installed conduit, for the future installation of level 2 electric vehicle chargers at 20 percent of the building's associated parking spaces. The bill created a specific definition for electric vehicle charging infrastructure to be used as well as identifying the types of construction covered. The bill also specified that a local jurisdiction may increase the required number of spaces through a local land use process outside the scope of the building code. The division held a Rule Advisory Committee on April 19, 2022. The Building Codes Structures Board reviewed and approved draft rules at its May 4, 2022, meeting. The Electrical and Elevator Board reviewed draft rules at its May 26, 2022, meeting. The division filed a notice of rulemaking on May 12, 2022, and held a public hearing on June 22, 2022.

### Summary:

These rules implement HB 2180 (2021) and create standards for buildings that must provide EV parking infrastructure at the time of construction and modify existing rules to align with the requirements of HB 2180.

### Contact:

If you have questions or need further information, contact Tony Rocco, structural program chief at, 503-910-1678 or at [Anthony.J.Rocco@dcbs.oregon.gov](mailto:Anthony.J.Rocco@dcbs.oregon.gov).





## PERMANENT ADMINISTRATIVE ORDER

### BCD 6-2022

CHAPTER 918  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
BUILDING CODES DIVISION

**FILED**

06/30/2022 4:16 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Implementation of HB 2180 (2120) EV Parking Infrastructure Requirements

EFFECTIVE DATE: 07/01/2022

AGENCY APPROVED DATE: 06/30/2022

CONTACT: Andy Boulton  
971-375-7027  
andrew.boulton@dcbs.oregon.gov

1535 Edgewater St NW  
PO Box 14470, Salem, OR 97309  
Salem, OR 97304

Filed By:  
Laura Burns  
Rules Coordinator

#### RULES:

918-020-0380, 918-305-0030, 918-460-0200

REPEAL: 918-020-0380

NOTICE FILED DATE: 05/12/2022

RULE SUMMARY: Repeals prior pilot program on EV parking infrastructure requirements. This program is now outdated and superseded by HB 2180 (2021) and the adoption of 918-460-0200.

#### CHANGES TO RULE:

##### ~~918-020-0380~~

##### ~~Electric Vehicle Ready Parking~~

~~(1) Effective October 1, 2017, there is established in Oregon a program for providing electric vehicle charging station infrastructure to the new construction of a parking facility. This program establishes mandatory code requirements for building owners or contractors as specified in this rule. Municipalities participating in this program must enforce the requirements of this rule.~~

~~(2) As used in this rule:~~

~~(a) "Parking facility" means a property or part of a property for which the major occupancy or use is parking spaces for motor vehicles.~~

~~(b) "Open parking space" means a defined area that has two or more indicated marked edges and is designed for the parking of a single motor vehicle including spaces designated for accessible parking.~~

~~(c) "New construction" means the construction of entirely new structures on a site. Additions are not considered new construction.~~

~~(3) Nothing in this rule requires the installation of electric vehicle charging stations in a parking facility.~~

~~(4) The program is mandatory within the jurisdictional boundaries of:~~

~~(a) The cities of Portland, Eugene, Salem and Gresham; and~~

~~(b) A municipality that has adopted the program through the local amendment process under OAR 918-020-0370.~~

~~(5) The division will maintain and make available a list of all participating jurisdictions.~~

~~(6) The program applies to the new construction of parking facilities with 50 or more open parking spaces. Five percent (5%) of the open parking spaces must be available for future installation of electric vehicle charging stations. Fractional numbers derived from this calculation must be rounded up to the nearest whole number.~~

~~(7) The program only applies to the following occupancy classifications as specified in the Oregon Structural~~

Specialty Code:¶¶

(a) Group B – Businesses;¶¶

(b) Group M – Mercantile;¶¶

(c) Group R-2 – Residential; and¶¶

(d) Group S-2 – Parking garages.¶¶

(8) Unless otherwise stated in this rule, electrical installations must be according to the Oregon Electrical Specialty Code.¶¶

(a) A parking facility must have a conduit system installed from the building electrical service to the open parking spaces.¶¶

(A) The conduit system must be, at a minimum, capable of supporting the installation of electrical wiring for the future installation of electric vehicle charging stations rated "Level 2" (40 amp/3.3 – 6.6 kW) or larger, as specified by the owner.¶¶

(B) Any conduit installed for future electric vehicle charging stations must be labeled "For Future EV Charging Stations." Both ends of the conduit must be labeled for the environment it is located in.¶¶

(b) A construction project required to install electric vehicle charging station infrastructure may comply with the rule through one of the following options:¶¶

(A) Provide a building electrical service sized for the anticipated load of the electric vehicle charging stations. The building electrical service must have the overcurrent devices necessary for the electric vehicle charging stations, or have adequate space within the service to add the necessary overcurrent devices;¶¶

(B) Provide adequate space within the building to add a second electrical service for future installation of service capacity for electric vehicle charging stations. The building official must allow a second electrical service of the same phase and voltage according to Article 230.2 of the Oregon Electrical Specialty Code; or¶¶

(C) Notwithstanding section (8)(a) of this rule, designate a location on the property to install a remote service. Potential electric vehicle charging stations served from a remote service location located in or adjacent to a landscaping area may not require installation of conduit. The building owner or contractor should coordinate with the electric utility serving the property to plan for a future service. Installation of conduits in these areas is at the discretion of the building owner or contractor.¶¶

(9) Fees for plan review, permit, and inspection are as established by the municipality under the authority of ORS 455.020 and 455.210.¶¶

(10) Construction documents associated with the construction of a parking facility must show the location of designated parking spaces and any conduits intended for future installation of electric vehicle charging stations.¶¶

(11) For the purposes of this rule persons certified to perform electrical plan review or inspection are not required to determine or ensure that the appropriate number parking spaces are designated for future electric vehicle charging stations.¶¶

(12) Parking facility requirements do not apply to:¶¶

(a) A temporary parking facility that is reasonably expected to be in service for three years or less.¶¶

(b) The installation of an electrical supply capacity or conduit system to serve parking spaces that are not open parking spaces. The areas listed below are not considered open parking spaces. Parking spaces:¶¶

(A) Reserved for motor vehicles that are inventory.¶¶

(B) Reserved for motor vehicles awaiting transport at a port or other transit facility.¶¶

(C) Reserved for use by commercial motor vehicles, emergency vehicles, or commercial or farm motorized equipment.¶¶

(D) Reserved for use by motorcycles, mopeds, or all-terrain vehicles.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.030, 455.110, 479.730

Statutes/Other Implemented: ORS 455.030, 455.110, 479.730

AMEND: 918-305-0030

NOTICE FILED DATE: 05/12/2022

RULE SUMMARY: Updates references to additional rules that impact the Oregon Electrical Specialty Code for the adoption of 918-460-0200 and the repeal of 918-020-0380.

CHANGES TO RULE:

918-305-0030

Other Codes or Publications that Impact Electrical Installations ¶¶

Other codes and publications that impact electrical installations include, but are not limited to those listed below:¶¶

- (1) Chapter 9 of the Oregon Structural Specialty Code relating to fire protection systems and Chapter 3 of the Oregon Residential Specialty Code relating to smoke alarm installations.¶¶
- (2) ORS 455.420 requiring individual electric meters for dwelling units.¶¶
- (3) The Oregon Energy Efficiency Specialty Code, and chapter 11 of the Oregon Residential Specialty Code which address the energy efficiency issues of motors, electric lighting and other electric equipment; and¶¶
- (4) Chapter 16 and 17 of the Oregon Structural Specialty Code which addresses the seismic requirements of nonstructural components and special inspection requirements.¶¶
- (5) Publications and requirements of the serving utility.¶¶
- (6) Public Law 101-336, the Americans with Disabilities Act, Part III; Department of Justice Regulations of Friday, July 26, 1991; 28 CFR Part 36, as amended, including the 2010 ADA Standards for Accessible Design and Public Law 100-430, the Fair Housing Act and the regulations adopted thereunder.¶¶
- (7) Chapter 11 of the Oregon Structural Specialty Code which relates to the Americans with Disabilities Act for mounting height requirements for electrical and communication receptacles located in affected buildings and structures.¶¶
- (8) The interconnection of all net-metering facilities and solar photovoltaic systems operated as interconnected power production sources shall comply with the Oregon Electrical Specialty Code. In addition, the interconnection of all net-metering facilities utilizing solid-state inverters shall comply with OAR 860-039 Net Metering.¶¶
- (9) Oregon Manufactured Dwelling Installation Specialty Code. The electrical installations shall be in accordance with the requirements of the Oregon Electrical Specialty Code.¶¶
- (10) The electrical portions of the installation or product standards identified in OAR 918-306-0005. These standards are informational only and are to be used to clarify code intent. They may be used as installation guides when not specifically referenced or covered in the Oregon Electrical Specialty Code. Examples include, but are not limited to, the electrical sections of NFPA 20, NFPA 54, NFPA 99, NFPA 101, NFPA 110, NFPA 780 and NFPA 820.¶¶
- (11) Electrical installation requirements for electric vehicle ready parking facilities specified in OAR 918-~~02460-038200~~.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 479.730

Statutes/Other Implemented: ORS 479.730,~~757.262~~

ADOPT: 918-460-0200

NOTICE FILED DATE: 05/12/2022

RULE SUMMARY: Implements electric vehicle infrastructure requirements under HB 2180.

CHANGES TO RULE:

918-460-0200

Electric Vehicle Charging Station Infrastructure Requirements

(1) This rule amends the Oregon Structural Specialty Code to require certain buildings to install electric vehicle charging infrastructure at a minimum of 20 percent of the vehicle parking spaces in the garage or parking area on the building's site, or the minimum percentage required by local government, in accordance with the requirements of ORS 455.417.¶

(2) This rule only applies to newly constructed buildings and newly constructed garages or parking areas located on the site and serving the following building types, excluding townhouses as defined in ORS 197.758:¶

(a) Commercial buildings under private ownership;¶

(b) Multifamily residential buildings with five or more residential dwelling units; and¶

(c) Mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units.¶

(3) Coordination with the Oregon Electrical Specialty Code (OESC).¶

(a) Unless otherwise specified in this rule, when terms used in this rule have been defined in the OESC, the OESC definitions will be used.¶

(b) For purposes of this rule a Level 2 charger means Level 2 Electric Vehicle Supply Equipment supplied by not less than 40 amps at 208/240 volts, unless otherwise defined in the OESC.¶

(c) The use or planned use of energy management systems in compliance with the requirements of the OESC may be included when determining the infrastructure requirements of this rule, including the size or planned size of a service.¶

(d) All electrical installations must comply with the provisions of the OESC.¶

(4) The calculation of the minimum number of parking spaces required to have electric vehicle charging infrastructure is determined by the following methods:¶

(a) No less than 20 percent, rounded up to the nearest whole number, of the spaces in the garage or parking area for the building, excluding overflow or seasonal parking; or¶

(b) When a local jurisdiction has increased the minimum required percentage of spaces to be provided with electric vehicle charging station infrastructure through a land use process in accordance with ORS 455.417(4), the number of spaces will be determined by the local process. The calculated number of spaces may not be less than the calculated number of spaces under section (4)(a) of this rule.¶

(5) Newly constructed buildings identified in section (2) are required to install electric vehicle charging station infrastructure consisting of a conduit system described in section (6) and at least one of the following options:¶

(a) Provision of building electrical service, sized for the anticipated load of electric vehicle charging stations, that has overcurrent devices necessary for electric vehicle charging stations or has adequate space to add overcurrent devices;¶

(b) A designated space within a building to add electrical service with capacity for electric vehicle charging stations; or¶

(c) A designated location on building property, in or adjacent to a landscaped area, for installing remote service for electric vehicle charging stations.¶

(6) A conduit system installed from the building electrical service, or from the dedicated space or location for a future electrical service as described in subsection (5)(b) or (5)(c), to parking spaces that can support, at a minimum, electrical wiring for the installation of one level 2 charger for each parking space. Both ends of the conduit must be labelled to show that the conduit is provided for future electric vehicle supply equipment.¶

(7) The installation of a level 2 charger or level 3 DC fast charger at a parking space satisfies the infrastructure requirements of this rule for that parking space.

Statutory/Other Authority: ORS 455.030, ORS 455.417

Statutes/Other Implemented: ORS 455.417