

363.785 Retail electric vehicle charging license -- Annual fee -- Fund -- Required inspections -- Administrative regulations.

- (1) Beginning January 1, 2027, an electric vehicle power dealer shall not operate an electric vehicle charging station without first obtaining a retail electric vehicle charging license from the department. A retail electric vehicle charging license shall be valid from the date of issuance until January 31 of the following calendar year.
- (2) The department shall collect an annual license fee in the amount of one hundred dollars (\$100) per electric vehicle charging port located at an electric vehicle charging station from the license holder to be deposited in the fund established in subsection (3) of this section for the purpose of implementing and administering of the retail electric vehicle charging program established by this section.
- (3)
 - (a) There is hereby established in the State Treasury a trust and agency account to be known as the retail electric vehicle charging station license fund. The fund shall consist of moneys received from the license fee imposed in subsection (2) of this section, state appropriations, gifts, grants, and federal funds.
 - (b) The fund shall be administered by the department.
 - (c) Amounts deposited in the fund shall be used for the implementation and administration of the electric vehicle charging station inspection program established by this section and for no other purpose.
 - (d) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.
- (4) Except as provided in subsection (5) of this section, beginning January 1, 2027, the department shall inspect each licensed electric vehicle charging station owned or leased by an electric vehicle power dealer at least once every two (2) years. The inspection shall include determinations of compliance with the standards in the current edition of the National Institute of Standards and Technology's Handbook 44 or other applicable standards relating to:
 - (a) The accuracy of the meters and displays of the electric vehicle charging ports from which electricity is sold, including with regard to the electrical rate, the charging speed, and the real-time charging status of the customer's electric vehicle;
 - (b) Electrical and safety standards;
 - (c) Output voltages from electric vehicle charging port connectors;
 - (d) Security of payment methods and customer data; and
 - (e) Any physical security or cybersecurity measures that the department may require.
- (5) Electric vehicle charging stations constructed using funds from the National Electric Vehicle Infrastructure Funding Program established under the federal Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, shall not be subject to the licensure or inspection requirements of this section or administrative regulations promulgated under this section until five (5) years have elapsed from the initial date of operation of the electric vehicle charging station and the long-term stewardship requirement under 23 C.F.R. sec. 680.106 has expired.

- (6) Within ninety (90) days of July 15, 2026, the department shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish electric vehicle charging station inspection standards and to carry out and enforce this section.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 161, sec. 93, effective July 15, 2026.