

OCCUPATIONS CODE

TITLE 14. REGULATION OF MOTOR VEHICLES AND TRANSPORTATION

SUBTITLE A. REGULATIONS RELATED TO MOTOR VEHICLES

Chapter 2311, consisting of Secs. 2311.0101 to 2311.0402, was added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1.

For another Chapter 2311, consisting of Secs. 2311.001, added by Acts 2023, 88th Leg., R.S., Ch. 211 (S.B. [1732](#)), Sec. 1, see Sec. 2311.001 et seq., post.

CHAPTER 2311. ELECTRIC VEHICLE SUPPLY EQUIPMENT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2311.0101. DEFINITIONS. In this chapter:

(1) "Commercial transaction" means any sale or exchange for compensation of electrical energy through a digital network.

(2) "Commission" means the Texas Commission of Licensing and Regulation.

(3) "Department" means the Texas Department of Licensing and Regulation.

(4) "Digital network" means an online-enabled application, website, or system offered or used by an electric vehicle supply provider that allows a user to initiate a commercial transaction to dispense electrical energy from electric vehicle supply equipment to an electric vehicle.

(5) "Electric vehicle supply equipment" means a device or equipment used to dispense electrical energy to an electric vehicle.

(6) "Electric vehicle supply provider" means an owner or operator of electric vehicle supply equipment that is available and accessible to the public to provide electrical energy through a commercial transaction.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1, eff. June 18, 2023.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 2311.0201. RULES. The commission shall adopt rules as necessary to implement this chapter.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0202. FEES. The commission by rule shall set fees in amounts sufficient to cover the costs of administering this chapter.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0203. CONTRACT. The department may contract to perform the department's duties related to electric vehicle supply equipment, including inspections. A reference in this chapter to the commission or department in the context of a contracted service means the contractor.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0204. INSPECTION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT. The department may periodically, or in response to a complaint, conduct an inspection of electric vehicle supply equipment in order to verify compliance with registration requirements and standards established in this chapter and commission rules, unless electric vehicle supply equipment is exempt from the application of this chapter by commission rule.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0205. COMPLAINTS REGARDING ELECTRIC VEHICLE SUPPLY EQUIPMENT. In accordance with Chapter 51, the executive director of the department shall establish methods by which consumers are notified of the name, Internet website address, mailing address, and telephone number of the department for the purpose of directing complaints to the department.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0206. EXEMPTIONS. (a) The commission by rule may exempt electric vehicle supply equipment from a requirement established by this chapter if the commission determines that imposing or enforcing the requirement:

- (1) is not cost-effective for the department;
- (2) is not feasible with current resources or standards; or
- (3) will not substantially benefit or protect consumers.

(b) Electric vehicle supply equipment is exempt from the requirements of this chapter if, in accordance with commission rule, the electric vehicle supply equipment is:

- (1) installed in or adjacent to a private residence for noncommercial use;
- (2) provided for the exclusive use of an individual, or a group of individuals, including employees, tenants, visitors, or residents of a multiunit housing or office development; or
- (3) provided by a business for use at no charge.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1, eff. June 18, 2023.

Sec. 2311.0207. REGULATION OF LEGACY CHARGERS. The commission may adopt rules to regulate electric vehicle supply equipment in operation before January 1, 2024, that:

- (1) has never had a metering system in place capable of measuring electricity transferred from the charging station to the vehicle; or
- (2) is not capable of measuring the time elapsed while actively charging a vehicle and calculating a fee for the charging session.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1, eff. June 18, 2023.

SUBCHAPTER C. OPERATION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT

Sec. 2311.0301. DUTIES OF ELECTRIC VEHICLE SUPPLY

PROVIDER. Unless electric vehicle supply equipment is exempt from the application of this chapter or has been removed from service, an electric vehicle supply provider shall:

(1) have electric vehicle supply equipment inspected as prescribed by commission rule; and

(2) maintain electric vehicle supply equipment in compliance with maintenance specifications, this chapter, and commission rule.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1, eff. June 18, 2023.

Sec. 2311.0302. REQUIRED REGISTRATION. (a) Unless electric vehicle supply equipment is exempt from the application of this chapter by commission rule, an electric vehicle supply provider shall register each charging unit of electric vehicle supply equipment operated by the provider with the department before the electric vehicle supply equipment is made available for use on a digital network for a commercial transaction.

(b) The department shall issue a registration to each applicant that meets the requirements of this chapter and submits an application that meets the requirements of this section. An application for electric vehicle supply equipment registration must:

(1) be submitted to the department in a manner prescribed by the department;

(2) be accompanied by any other document or form required by the department;

(3) include any fee required under Section [2311.0202](#); and

(4) include documentation of compliance with Section [2311.0303](#), as prescribed by commission rule.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. [1001](#)), Sec. 1, eff. June 18, 2023.

Sec. 2311.0303. SPECIFICATIONS. (a) Specifications and tolerances for electric vehicle supply equipment shall be the same as those recommended by the National Institute of Standards and

Technology.

(b) Electric vehicle supply equipment must be installed and operated in accordance with Chapter 1305.

(c) The commission may adopt rules as necessary to establish standards under this chapter.

(d) This subsection applies only to electric vehicle supply equipment installed after December 1, 2024, that is made available to the public, is not intended primarily for private use, and is funded by a public grant or a rebate program. The commission, in consultation with the Texas Department of Transportation, shall adopt standards that require electric vehicle supply equipment to be equipped with a standard electric vehicle charging connector or plug type that is widely compatible with as many types of electric vehicles as practicable.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0304. FEES; DISCLOSURES. (a) An electric vehicle supply provider shall disclose on the display of the electric vehicle supply equipment or on the electric vehicle supply provider's digital network:

- (1) the fee calculation method or methods; and
- (2) applicable surcharges.

(b) Before the user begins charging, the electric vehicle supply provider shall disclose:

- (1) the rate the user will be charged at the time of the transaction based on the available fee calculation method or methods; and
- (2) a list of applicable surcharges.

(c) In accordance with commission rule, an electric vehicle supply provider shall show on the display of the provider's electric vehicle supply equipment or on the provider's digital network a notice to consumers that:

- (1) states that the department regulates electric vehicle supply equipment; and
- (2) provides information on filing a complaint with the department about electric vehicle supply equipment.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0305. RECEIPT. After a reasonable period following the completion of a commercial transaction for electric vehicle charging, on request of a user, the electric vehicle supply provider shall transmit a summary that includes:

- (1) the date and time of the transaction;
- (2) the physical location of the electric vehicle supply equipment;
- (3) the duration of and kilowatt hours provided during the transaction; and
- (4) an itemization of the total fees paid, including surcharges, if applicable.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0306. REPAIR OF DAMAGED ELECTRIC VEHICLE SUPPLY EQUIPMENT. (a) An electric vehicle supply provider shall:

- (1) remove from operation in a manner that prevents use and access by the public, in accordance with commission rules, electric vehicle supply equipment that poses a safety risk; and
- (2) remove electric vehicle supply equipment that poses a safety risk from the electric vehicle supply provider's digital network listing of available charging units.

(b) If the department determines that electric vehicle supply equipment poses a safety risk, the department shall place a tag or other mark with the words "Out of Order" on the electric vehicle supply equipment.

(c) An electric vehicle supply provider may not return electric vehicle supply equipment to operation until the equipment has been repaired in accordance with manufacturer specifications and commission rule.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

SUBCHAPTER D. ENFORCEMENT

Sec. 2311.0401. DISCIPLINARY ACTION. A person is subject to the denial of an application, imposition of an administrative penalty under Subchapter F, Chapter 51, or disciplinary action under Section 51.353 if the person engages in a commercial transaction in violation of this chapter or a rule adopted under this chapter.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.

Sec. 2311.0402. ADMINISTRATIVE PROCEDURES. A proceeding for the denial of a registration or a disciplinary action or an appeal from that proceeding is governed by Chapter 2001, Government Code.

Added by Acts 2023, 88th Leg., R.S., Ch. 1153 (S.B. 1001), Sec. 1, eff. June 18, 2023.