

**Testimony of Justin Magsarili, Esq., regarding LD 1133, An Act to Allow Electric Vehicle Charging Stations by Condominium and Residential Associations**  
**April 4, 2025**

I am an attorney whose practice focuses on community association law, primarily representing condominium and homeowner associations. My practice spans Maine, Massachusetts, and New Hampshire.

I am providing my testimony on behalf of the Maine Legislative Action Committee (the “LAC”) of the Community Associations Institute (“CAI”). CAI is a national non-profit organization that serves the interests of community associations and condominium owners throughout the country. Our goal as the LAC is to be a voice for our community associations in the State of Maine.

The LAC and CAI have, broadly speaking, a favorable view of owners in community associations having the option to install electric vehicle charging stations. Unfortunately, LD 1133 as presently written is too broad to appropriately balance the interests of the affected parties. Self-governance and co-ownership of common property are core tenets of the community association living concept. LD 1133 in its current form drastically undercuts those principles and does not address issues of responsibility for issues such as the costs, installation, maintenance, insurance, and removal of charging stations. Every association has unique characteristics and needs. Thus the LAC feels that it is vital for legislation regarding electric vehicle chargers in community association to allow for each association to determine the best methods for addressing its unique concerns and circumstances. For example, parking spaces at condominiums are typically common areas, legally owned in common by all the unit owners, though they may be subject to certain exclusive use rights, and that common ownership aspect must be taken into account. Further, in some communities, the parking spaces may be subject to the board’s right to re-assign them.

CAI has been a voice providing input in the consideration and adoption of legislation on this issue in other jurisdictions as well and we encourage your committee to refer to some of those other laws, which have specifically provided for application and approval processes; addressed future and ongoing responsibilities for costs, maintenance, and insurance; and addressed how installed charging stations are to be handled when ownership of the home is transferred. Oregon’s law, ORS 100.627, and Connecticut’s law, General Statutes § 47-261g, are great points of reference. In Massachusetts, identical home rule laws addressing this issue have been passed for Boston and Cambridge, in 2019 and 2022, respectively (see Chapter 329 of the Acts of 2022). It is the LAC’s position that the interests of all members of Maine’s community associations would be best served if LD 1133 is re-worked to draw inspiration from those cited laws. The LAC’s members are available and would be happy to assist with drafting Maine’s legislation on this topic, if the legislators would be open to such a dialogue.

While the LAC is generally supportive of electric vehicle chargers in community associations, LD 1133 is not currently a workable solution to moving the technology forward in the context of community association living and the LAC, therefore, must oppose its passage.