
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**

Senator Dr. Aisha Wahab, Chair
2025 - 2026 Regular

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Author:	Reyes		
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Consultant:	Elissa Silva		

Subject: Weights and measures: electric vehicle supply equipment: state authority.

SUMMARY: Transfers authority for initial and subsequent inspections and oversight of electrical vehicle charging equipment from the weights and measurement program at the Division of Measurement Standards (DMS), under the California Department of Food and Agriculture (CDFA) to the State Energy Resources Conservation and Development Commission (CEC) upon the CEC's adoption of regulations related to oversight of electrical vehicle charging equipment, as specified.

NOTE: *This bill is double-referred to the Senate Committee on Energy, Utilities and Communications, second.*

Existing law:

- 1) Provides the CDFA general enforcement supervision of the laws relating to weights and measures and measuring devices and provides for the enforcement of those laws and the inspection and testing of measuring devices in each county by the county sealer. (Business and Professions Code (BPC) §§ 12100, 12105)
- 2) Defines a "county sealer" to mean any sealer appointed by a county, and a county may in its discretion refer to its sealer as the country director of weights and measures (BPC § 12006)
- 3) Makes it a misdemeanor for any person to hinder or obstruct in any way, any sealer in the performance of their official duties. (BPC § 12016)
- 4) Makes it unlawful for any person, as specified, to use for commercial purposes any weight or measure or weighting, measuring, or counting instrument, knowing it to be "incorrect", as specified. (BPC § 12020)
- 5) Requires the CDFA to investigate conditions in the various cities and counties in respect to weights and measures, and the sale of goods, wares, and merchandise, commodities, and foodstuffs in containers. (BPC § 12101)
- 6) Requires the CDFA at least once annually and as often as requested by the Department of General Services or the executive officer of a state institution, test the scales, weights and measures used in checking the receipt and disbursement of supplies in any state institution and report in writing its findings to the executive

officer of the institution. (BPC § 12106)

- 7) Requires the CDFA to inspect the work of the local sealers and may inspect the weights, measures, balances, or any other weighting or measuring devices of any person, at a frequency determined by the Secretary of the CDFA. (BPC § 12105)
- 8) Establishes in each county, the office of the county sealer of weights and measures, who is appointed by that county board of supervisors, except in charter counties, and the term of office is set at four years. (BPC § 12200)
- 9) Authorizes the appointed county sealer, with the consent of the board of supervisors, to appoint deputies or inspectors and also employ clerks and employees, as specified. (BPC § 12200)
- 10) Requires each sealer within his or her county to inspect, try and test all weights, scales, beams, measures of any kind, instruments or mechanical devices for weighing and measuring, and tools, appliances and accessories connected with any or all such instruments or measures, sold or used by any proprietor, agent, lessee or employee for commercial purposes, as defined. (BPC § 12210(a))
- 11) Prohibits any person from engaging in the business as a service agency unless the person is registered by the Secretary of CDFA and the current registration fee and any penalty has been paid. (BPC § 12532(a))
- 12) Defines “correct” for purposes of weighing and measuring devices to mean any weight or measure or weighing or measuring, or counting instrument that meet all of the tolerance and specification requirements established by the Secretary of the CDFA pursuant to the Secretary’s requirement to establish tolerances and specifications and other technical requirements for commercial weighing and measuring. (BPC § 12500(c))
- 13) Defines “incorrect” to mean any instrument that fails to meet all of the requirements pursuant to the Secretary’s requirement to establish tolerances and specifications and other technical requirements for commercial weighing and measuring. (BPC § 12500(d))
- 14) Defines “EVSE” or “electric vehicle supply equipment” to mean a device that is used in connection with the sale of electricity as a motor vehicle fuel for controlling the electricity supply from an electric vehicle charging station to a vehicle during a charging session that includes a measuring instrument. (BPC § 12509.5)
- 15) Defines “electric vehicle charger operated by a public agency” to mean an electric vehicle charger that is available for commercial use by the public and that is either owned by a public agency or for which the public agency has entered into an agreement to have the electric vehicle charger installed, maintained, or serviced, to have the revenues from the electric vehicle charger collected, or to otherwise have electric vehicle charging services performed on behalf of the public agency. (BPC § 12209.7(a)(2))

- 16) Authorizes a sealer to levy a civil penalty against a person who violates the laws pertaining to weights and measures in the BPC, of not more than \$1,000 for each violation, as specified, and requires before the civil penalty is levied, the person charged with the violation be given a written notice of the proposed action including the nature of the violation and the amount of the proposed penalty and that the cited person has the right to request a hearing, as specified. (BPC § 12015.3(a), (b))
- 17) Establishes the CEC, consisting of five members appointed by the Governor and approved by members of the Senate, as specified, to do all of the following:
 - a) Prescribe the form and content of applications for facilities; conduct public hearings and take other actions to secure adequate evaluation of applications; and formally act to approve or disapprove applications, including specifying conditions under which approval and continuing operation of any facility shall be permitted.
 - b) Prepare an integrated plan specifying actions to be taken in the event of an impending serious shortage of energy, or a clear threat to public health, safety, or welfare.
 - c) Evaluate policies governing the establishment of rates for electric power and other sources of energy as related to energy conservation, environmental protection, and other goals and policies established, and transmit recommendations for changes in power-pricing policies and rate schedules to the Governor, the Legislature, to the Public Utilities Commission, and to publicly owned electric utilities.
 - d) Serve as a central repository within the state government for the collection, storage, retrieval, and dissemination of data and information on all forms of energy supply, demand, conservation, public safety, research, and related subjects. The data and information shall be derived from all sources, including, but not be limited to, electric and gas utilities, oil and other energy producing companies, institutions of higher education, private industry, public and private research laboratories, private individuals, and from any other source that the commission determines is necessary to carry out its objectives under this division. The CEC may charge and collect a reasonable fee for retrieving and disseminating any such information to cover the cost of such a service, as specified
 - e) Undertake a continuing assessment of trends in the consumption of electrical energy and other forms of energy and analyze the social, economic, and environmental consequences of these trends; carry out directly energy conservation measures, as specified, and recommend to the Governor and the Legislature new and expanded energy conservation measures as required to meet its objectives.
 - f) Collect from electric utilities, gas utilities, and fuel producers and wholesalers and other sources forecasts of future supplies and consumption of all forms of energy, including electricity, and of future energy or fuel production and transporting facilities to be constructed; independently analyze such forecasts in

relation to statewide estimates of population, economic, and other growth factors and in terms of the availability of energy resources, costs to consumers, and other factors; and formally specify statewide and service area electrical energy demands to be utilized as a basis for planning the siting and design of electric power generating and related facilities.

- g) Carry out under contract or other arrangements, research and development into alternative sources of energy, improvements in energy generation, transmission, and siting, fuel substitution, and other topics related to energy supply, demand, public safety, ecology, and conservation which are of particular statewide importance. (Public Resources Code (PRC) §§ 25200, 25216, 25216.5)

This bill:

- 1) Exempts the regulation of weighing devices associated with electric vehicle supply equipment from the Secretary of CDFA's jurisdiction, upon adoption of regulations by the CEC, as specified.
- 2) Defines "electrical vehicle supply equipment" to mean an electric component assembly or cluster of component assemblies used for commercial purposes that is designed specifically to charge a battery within an electric vehicle by permitting the transfer of electricity to the battery or other storage device in the electric vehicle.
- 3) Requires the CEC to adopt regulations, no later than July 1, 2027, to protect consumers from inaccurate supply equipment which must include tolerances and specifications for electric vehicle supply equipment and standards for the testing and verification of electric vehicle supply equipment delivery accuracy and mechanisms to ensure compliance with and enforcement of the requirements.
- 4) Permits the regulations adopted by the CEC to include, without limitation, all of the following:
 - a) A pathway to enable a manufacturer to test its electric vehicle supply equipment before the equipment leaves the manufacturing facility;
 - b) A provision for electric vehicle supply equipment that has not been tested before the equipment leaves the manufacturing facility to be tested before it is made available to consumers;
 - c) Provision to ensure electric vehicle supply equipment manufactures and owners are informed of their responsibilities under the regulations;
 - d) A process for confirming compliance with the regulations that uses the commission's electric vehicle charger inventory data to conduct randomized inspections, such as in-person spot checks that reflect a representative sample of installed electric vehicle chargers and inspections triggered by the receipt of consumer complaints; and,
 - e) An enforcement process that establishes a tiered set of corrective actions to address violations, including a reasonable time for the violation to be remedied

before an administrative civil penalty may be assessed, an administrative civil penalty not to exceed a fine of \$2,500 assessed for an initial violation, and, for subsequent violations, an administrative civil penalty that shall include a fine not to exceed \$2,500 and that may include other penalties, including the electric vehicle supply equipment's suspension or removal from service.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by Legislative Counsel.

COMMENTS:

1. **Purpose.** The Author is the sponsor of this bill. According to the Author, "California has established ambitious climate goals, including reaching 100% zero-emission vehicle (ZEV) sales by 2035 and having 5 million ZEVs on the roads by 2030. Meeting these targets depends on a charging network that is accessible, accurate, and easy to deploy.

"The California Energy Commission (CEC) is the leading entity investing in the infrastructure to meet these goals. Their work includes supporting strategic regional planning, overseeing EV charging reliability reporting and reliability standard regulations. This work is critical to ensure the state is both on track to meet our ambitious climate goals and that consumers have access to chargers that increase confidence in the transition to clean energy.

"Under current law, EV chargers that sell electricity as a transportation fuel are treated as commercial measuring devices, similar to gas pumps. This places them under the California Department of Food and Agriculture's (CDFA) Division of Measurement Standards, which enforces weights and measures laws to ensure consumers are charged accurately. However, stakeholders report that this system is unevenly enforced across counties, costly, and difficult to scale. A limited number of certified testers has led to delays and high costs for getting chargers up and running, slowing deployment at a time when the state needs rapid expansion.

"EV chargers are fundamentally different than gas pumps and other metered devices, and while this process has worked for existing devices, it may not work for "EV charging at scale over time. As the state's lead agency on EV infrastructure, the CEC is better positioned to oversee this work. SB 1327 recognizes this by transferring authority over EV charging accuracy from the CDFA to the CEC. The bill ensures that stakeholder input is considered through this process and that the new regulatory approach better protects consumers, supports industry growth, and helps the state meet its clean transportation goals."

2. **Background.**

California's Ambitious Zero-Emission Vehicle Targets and Challenges with Electric Vehicle Supply Equipment Installations for Operation and Oversight. The CEC released a press release in January of this year announcing that California has surpassed 2.5 million zero emission vehicle (ZEV) sales. The media release noted that since the end of 2019, cumulative new ZEV sales in California have grown 300%. In September of 2020, Governor Newsom issued Executive Order N-79-20, which established goals for the State of California that 100% of in-state new

passenger car and truck sales will be zero-emission by 2035, and by 2045, ZEV operations for medium-and heavy-duty vehicles, where feasible. Preceding that Executive Order, former Governor Jerry Brown issued Executive Order B-48-18 which set a target for 5 million electric vehicles by 2030 and further directed California to install 250,000 electric vehicle chargers, including 10,000 direct current fast chargers by 2025.

There are three commonly referenced types of charging for electric vehicles: Level 1, Level 2, and Level 3. Level 1 chargers are those typically found in residential homes and utilize the home energy system and typically result in a slower charge. Level 2 systems are found in both residential and third party operated charging stations. Level 2 chargers offer a faster charge than Level 1 but are slower than Level 3. Level 3 is typically referred to as *DCFA* or *DC* chargers. These are considered “fast” chargers. Publicly owned charging stations and privately owned Level 2 and 3 charger station operators may charge consumers for use.

In 2018, AB 2127 (Ting, Chapter 365, Statutes of 2018) required the CEC to assess the amount of electric vehicle infrastructure needed to meet the goals of putting at least five million ZEVs on the road and reducing greenhouse gas emissions by 40% below 1990 levels by the year 2030. The CEC released its first *Electric Vehicle Charging Infrastructure Assessment* report in 2021, and a revised report in 2023 with updated figures, analysis, and projections.

In the 2021 assessment, it was projected that over 900,000 public and shared private chargers would be needed for passenger vehicle charging by 2030 to support 5 million ZEVs, and nearly 1.5 million to support about 8 million ZEVs anticipated under Executive Order N-79-20. An additional 157,000 chargers are needed to support 180,000 medium- and heavy-duty vehicles anticipated for 2030.

The revised 2023 assessment projects that California’s 7.1 million light duty plug-in electric passenger vehicles will need 1.01 million chargers, including 39,000 direct-current fast chargers. By 2035, 15.2 million light-duty plug-in electric passenger vehicles will need 2.11 million chargers in California including 83,000 direct-current fast chargers.

According to a CEC press release in September 2025, California has surpassed 200,000 publicly available and shared electric vehicle charging ports in California, resulting in 68% more EV charger ports than the number of gasoline nozzles statewide. However, that figure is below the 250,000-charger goal set by then Governor Brown in Executive Order B-48-18. Publicly accessible charging stations can be found at places such as grocery store parking lots, apartment complexes, grocery stores, and even health care offices. Because electrical vehicle supply equipment devices are used to measure electricity sold as motor vehicle fuel, they are subject to the regulation under the weights and measures laws of the state.

California Department of Food and Agriculture and the Division of Measurement Standards. The DMS under the CDFA is responsible for the implementation and enforcement of California’s *weights and measures* laws. California’s regulation of weighing and measuring devices was established in 1913 to: *oversee the development of specifications and tolerances for weighing and measuring devices,*

the accuracy of the devices used in commerce, inspection of railroad track scales, and weights and measures used in State hospitals and prisons. The primary function of weights and measures laws is to ensure consumers obtain fair and accurate commodity pricing when purchasing products based on scales or devices which weigh and measure consumers' products.

Through the regulation of weights and measures laws in California, both weighing and measuring devices (scales, meters, dispensers) are tested for accuracy and inspected to determine if they are appropriate for their intended use and provide accurate readings. When consumers purchase gasoline from a gas pump, or vegetables by weight at the supermarket, the regulation of those weighing devices used in commerce is to ensure that the price paid is correct for the amount of the product purchased. Consumers rely on the accuracy of a grocery scale to ensure they are paying the accurate price for the pound of apples they intend to purchase. A weighing or measurement device that is not operating correctly can result in overpayment by consumers, or consumers receiving less quantity for which they paid. This can include the electricity that one purchases to electrically refuel an electric vehicle. DMS's primary function as noted on the CDFA's website is *to ensure fair and honest competition for industry and accurate value comparison for consumers.*

County Sealers. Enforcement of the weights and measure standards in California, are delegated to a county sealer of weights and measures. Historically, it has been the primary objective of weights and measures officials to ensure that "equity prevails" in the marketplace. To achieve that objective each county, under the general direction and oversight of the Secretary of CDFA, enforces the laws and regulations of the BPC and the California Code of Regulations related to the standards for weights and measures. These enforcement programs protect and promote the local economy and commerce of each county. County weights and measures officials inspect, and test packaged commodities, and all commercially used devices.

County sealers are appointed by their respective county board of supervisors and are responsible for ensuring that all commercial scaling and volumetric measuring devices provide accurate readings. County sealers regulate a significant number of weighing and measuring devices including petroleum fuel meters, utility submeters, odometers, taximeters, LPG meters, and all grocery, butchery, jewelry, postal, vehicle, luggage and shipping scales.

County sealers are required to preserve all copies of the standards of weights and measures in their possession and keep them safe when not in use. Annually (or when requested by the CDFA), they must file a written report of the work done including testing and inspections, and all prosecutions for violations. Sealers have permissive authority to enter into any specified business location or stop any vendor with commodities for sale without a warrant to conduct the appropriate testing. County sealers have the authority to issue citations for misdemeanor and infraction violations involving weights and measures laws.

Current law authorizes a county board of supervisors, through an ordinance, to charge an annual registration fee to recover the costs associated with inspecting or

testing the weighing or measuring devices. Fees are specified in statute and may not be higher than the actual cost to inspect or test. Additionally, annual registration fees for a business that uses a commercial weighing or measuring device as specified in statute cannot exceed \$120 per business location (plus 100% maximum applicable to device fees). For example, computing scales and electronic counter scales interfaced with a cash register or any point-of-sale system, the device fee is to be no more than \$25 per device, jewelry and prescription scales and scales marked as a Class II weighing device, the fee is to be no more than \$80 per device. For those weighing and measuring devices not designated in statute, they fall into a catchall fee category where the device fee is to be no more than \$26. With respect to electrical vehicle charging equipment, fees are not specified for those devices and so they fall into the \$26 authorized fee range. In addition to the per device fees, current law permits counties to assess a fee for each location where the device is at to be charged a location registration fee, which is also specified and capped in statute.

According to the 2023-2024 CDFA/DMS annual report, in FY 2023/24 there were 1.9 million registered commercial weighing and measuring devices in California. Measuring devices include electric submeters, vapor submeters and retail fuel dispensers. Weighing devices include computing scales, platform scales and vehicle scales; 200,000 of those devices are electric vehicle charging equipment, approximately 10% of commercial weighing devices in California.

CDFA is required to adopt necessary regulations governing the inspection frequency of all the commercially used weights, measures, and weighing apparatus in the state, which includes electric vehicle supply equipment (EVSE). As noted by the DMS, "The EVSE regulation aids consumers by facilitating an "apple-to-apple" price comparison of electricity sold at different locations. Uniform requirements for price advertising and EVSE labeling helps eliminate inconsistent, misleading, or fraudulent business practices by retailers." As these charging stations were coming to market, there was a step approach to the regulation of EVSE. For those products installed prior to January 1, 2021, they are exempt from DMS/sealer oversight until 2031, and anything installed after January 1, 2021, are subject to current compliance requirements.

Electric Vehicle Supply Equipment (EVSE) and Relationship to the Regulation of Weighing and Measuring Devices. EVSEs that transfer electricity to a vehicle (as a retail motor vehicle fuel) and charge for those services are considered a commercial measuring device, which brings them under the jurisdiction of the DMS and the enforcement and inspection of the county sealer programs.

The author notes concerns with the regulatory structure for oversight of the electric vehicle supply equipment being subject to current standards for all other commercial weighing devices in California. According to information provided by the Author,

While DMS has developed standards, certification procedures, and inspection protocols for EV charging equipment, stakeholders across the EV ecosystem, including manufacturers, installers, site hosts, and local governments, report that the system is difficult to

implement, unevenly enforced, and not equipped to scale with the state's rapidly growing charging infrastructure needs.

Counties vary widely in their level of enforcement and capacity, with some not registering or inspecting chargers at all, leading to inconsistency and uncertainty across the state. These challenges are compounded by a limited number of Registered Service Agencies (RSAs) authorized to test and certify charging stations, resulting in long wait times and high costs for operators to bring chargers online. For many businesses, particularly small operators, these costs can be prohibitive and delay deployment. As a result, the current system is hindering the timely installation of reliable charging infrastructure, affecting both industry growth and consumer confidence. At the same time, California has set ambitious goals to expand EV adoption and charging infrastructure, which requires a regulatory framework that is efficient, consistent, and scalable.

County Sealers and Registered Service Agencies (RSAs) and the Role of RSAs in Weights and Measure Regulations. As a part of the oversight of weighing devices, there is a Registered Service Agency (RSA) program under the jurisdiction of the CDFG, which is responsible for registering service agencies and their employees. Because a county employs a single county sealer, and these individuals are responsible for overseeing a great number of weighing and measuring devices, in 1999, AB 376 (Floyd, Chapter 364, Statutes of 1999) established a licensing scheme that allows independent "RSAs" to repair weighing and measuring devices. Unlike county sealers whose fees for services are specified in statute, RSAs are able to set their fees independently.

RSAs are businesses which repair commercial weighing and measuring devices. An RSA can be a business, person, firm, corporation or association. RSAs are required to register with the CDFG and pay a registration fee for the primary location and each additional location. RSAs must also pay a fee to CDFG for each service agent employed by the RSA. Each agent employed must pass an examination offered by the CDFG with a 70% in order to provide services. RSAs are in greater numbers than county sealers and can utilize their numbers to more swiftly inspect and verify weighing devices. However, the cost of testing devices necessary to test electric vehicle supply equipment remains an impediment for both county sealers and RSA agents to conduct initial testing of electric vehicle charging stations, especially at the initial point of entry into the market. It is reported that the testing equipment costs approximately \$50,000-\$100,000, which can be a barrier to entry for many RSAs. EVSEs are unique in the need for initial inspection and testing, given how quickly these stations are being installed and how many are needed.

An agent, as an employee of an RSA, is permitted to install, service, repair or recondition commercial weighing or measuring devices, including electric vehicle charging stations. Under current law, (BPC § 12533) a service agency is required to possess (or have available for use) certified standards and testing equipment. Standards certification must be performed at least every two years, either by the DMS, or by another accredited entity. Metrology calibration reports/certificates must

be submitted at the time of registration, to document that an Agency has suitable and sufficient standards to install and repair commercial weighing and measuring devices in California.

Past Legislative Efforts to Help Address Industries Concerns with a Slower Inspection and Initial Certification Process for ESVE. AB 2543 (Villapudua, Chapter 399, Statutes of 2024) was introduced to help mitigate testing and ESVE installation issues. That bill simply created a new class of repairs termed “routine repairs” that do not impact the accuracy of an EV charger. EV chargers have a number of parts and functions unrelated to their ability to accurately measure electricity. When a charger undergoes a routine repair, the bill exempted that device from the requirement to be tested by a county sealer or RSA before being used commercially, as long as the device has previously been placed into service by a county sealer or RSA, with a sunset date of January 1, 2028. AB 2453 did not resolve the issues with initial installation challenges associated with the lack of testing equipment for the EVSE machines and the low number of RSAs or sealers who are able to place these devices into service.

California Energy Commission and Transitioning Oversight of Electric Vehicle Supply Equipment from Division of Measurement Standards and the County Sealers to CEC. The CEC operates under the direction of a five-member governor appointed body. The CEC is the lead state agency tasked with statewide energy policy and planning. The CEC has seven core responsibilities: advancing state energy policy, encouraging energy efficiency, certifying thermal power plants, investing in energy innovation, developing renewable energy, transforming transportation and preparing for energy emergencies. According to the CEC, related specifically to transportation “The [CEC] invests about \$100 million annually to develop and deploy low-carbon fuels and vehicle technologies. In addition, the [CEC] is the state’s lead agency on electric vehicle fueling infrastructure, responsible for leading the state’s investment in plug-in electric vehicle stations and establishing the first network of retail hydrogen refueling stations in the nation.”

In response to concerns with electrical vehicle supply equipment reliability, AB 2061 (Ting, Chapter 345, Statutes of 2022) required the CEC to define uptime for EV chargers, set uptime recordkeeping and reporting requirements and assess EV uptime every two years.

At the same time the CEC is tasked with ensuring a robust electrical vehicle supply market which includes increasing the availability of chargers across the state, this bill proposes to also require the CEC to oversee and regulate the private business operations of both ESVE manufacturers and equipment operators.

The Author notes the need for this transition of oversight to the CEC to help address the inconsistent and slower approach to increasing electric vehicle supply equipment in this state under the current structure under DMS and the county sealer programs.

Unlike traditional gas stations, which are typically standalone business operations, electrical vehicle charging locations can vary across the state and across counties. These charging stations are often found in business parking lots, as a convenience

to shoppers and clients, in medical business parking lots, school parking lots, public and private parking garages. Addition, some of the proponents of this bill also report favorability of transition from DMS and county sealer oversight to the CEC and note, “While current weights and measures regulations may work for gas pumps and deli scales, we are confident the CEC will be able to modernize the regulations so that the process works seamlessly for drivers, charging manufacturers, and entities that own and operate charging stations, including California small businesses and local governments.”

In addition, some of the noted challenges for electric vehicle supply equipment manufactures include lack of communication from the DMS related to guidance for regulation and oversight which leads to inconsistent enforcement across counties, causing confusion for those who operate these systems. Confusion over the fees for the location of the business offering electric vehicle charging and the per device fee that is assessed. Label requirements are inconsistent across the counties as to what types of labels are necessary and required to be displayed on the chargers to name a few.

Given that the CEC is already tasked with the oversight of ensuring there is robust electric vehicle supply equipment in California, the author and some of the proponents notes that the CEC is better equipped to determine operability standards which may be addressed statewide.

It is unclear if the DMS/County Sealers/RSA role in EVSE infrastructure will hinder the state from meeting its electric vehicle infrastructure targets. In a July 16, 2024, Cal Matters article titled “*California needs a million EV charging stations — but that’s ‘unlikely’ and ‘unrealistic*”, the reporter noted “Big obstacles stand in the way of amping up the pace of new charging stations in public places. California will need billions of dollars in state, federal and private investments, streamlined city and county permitting processes, major power grid upgrades and accelerated efforts by utilities to connect chargers to the grid.” As noted in this article, it appears there may be additional factors that could impact the progress of installing electric vehicle supply equipment that the transfer of oversight of the weights and measurement standards for EVSEs may not fully address.

3. **Prior Related Legislation.** SB 314 (Padilla of 2025), would have made changes to the inspection requirements for EVSE, as specified, under the jurisdiction of weights and measures laws. (*Status: This bill died in Senate Appropriations*)

AB 2453 (Villapudua, Chapter 399, Statutes of 2024) exempts EVSE from the requirement it is to be retested or placed into service by a service agency or sealer before the EVSE is used after receiving maintenance, as specified, until January 1, 2028.

AB 2037 (Papan, Chapter 692, Statutes of 2024) authorizes a county sealer to test and verify any electric vehicle charger operated by a public agency located in a county in which the sealer has jurisdiction; authorizes a county sealer to place a deficient vehicle charger “out of order”; and establishes penalties for anyone who removes or destroys a tag noting deficiencies in the tolerances and specifications

and other technical requirements for commercial weighing and measuring deficiencies on an electric vehicle charger placed by the county sealer.

- 4. Arguments in Support.** The proponents of this bill note, “According to the study, a lack of resources and personnel at the county level has led to uneven enforcement, delays in placing chargers into services, and in some cases, unnecessary station outages. Notably, the study finds that most cited compliance issues stem from labeling, registration, and process requirements. There are virtually no cases of chargers providing an inaccurate measurement of electricity delivered.

“We also appreciate that SB 1327 balances consumer protection with practical implementation. The bill allows for manufacturer pre-testing, provides reasonable compliance pathways for equipment already in the field, and establishes a tiered enforcement process that prioritizes correction over punishment. These provisions will help avoid unnecessary disruption to charging availability while still ensuring that drivers pay only for the electricity they receive.

“As EV adoption accelerates, ensuring accurate, transparent, and trustworthy charging transactions is critical to maintaining public confidence and supporting continued investment in charging infrastructure. SB 1327 delivers a smart, forward-looking framework that does exactly that.”

- 5. Arguments in Opposition.** The California Agricultural Commissioners and Sealers Association writes in opposition and notes, “SB 1327 would unnecessarily shift regulatory authority over EV supply equipment to the California Energy Commission, an agency that does not administer or enforce weights and measures laws. In doing so, the bill fragments an established system that is already functioning effectively and removes these emerging devices from the oversight of the regulatory program whose primary expertise is in enforcement of weights and measures laws...

“Rather than leveraging the proven infrastructure and expertise of county sealers, the bill disregards a system that is already trained, equipped, and operational. County sealers are uniquely positioned to ensure consumer protection in this space. They already inspect and verify commercial measuring devices in the field, respond to complaints, and enforce accuracy standards across a wide range of industries. EV charging equipment is a natural extension of this existing authority and expertise—not a justification for creating a new and duplicative regulatory program. California’s current system is working. SB 1327 replaces it with a fragmented approach that risks inconsistency, inefficiency, and reduced accountability.”

- 6. Policy Issues for Consideration.**

Could this transition weaken consumer protection? The CEC is tasked with energy policy and planning, where its vital mission is not necessarily focused on consumer protection, but rather to ensure the State meets the very laudable green energy goals. However, the mission of the DMS is to...*serve the people of California by aggressively preserving and defending the measurement standards essential in providing the citizens a basis of value comparison and fair competition in the marketplace.* Consumers in California have long relied on the quiet, but vital,

regulatory structure under the DMS and the county sealer program which ensure that devices and instruments used in California to conduct commerce are fair and accurate. The consumer is the ultimate beneficiary of this program.

Should the CEC be required to work with the DMS and the County Sealers in developing the regulations? The DMS and the county sealer program already has a robust inspection and enforcement process for weighing and measuring devices. Requiring the CEC to develop regulations for testing before and after installation, informing electric vehicle supply equipment manufacturers and owners of their responsibilities under the regulations, and creating a process for inspections and receiving consumer complaints and addressing violations including issuing penalties and allowing remediation of potential defects are all likely currently address under the current regulatory structure at the CDFR/DMS. To achieve efficiencies and reduce redundancies, it may be helpful to require the CEC to consult with or utilize existing infrastructure already established by the regulatory experts whose sole mission is to inspect and test weighting devices across the state.

Is six months sufficient time to establish a robust regulatory program? As currently drafted, this bill establishes an entirely new regulatory program at the CEC and requires new regulations by July 1, 2027. This is likely not sufficient time to create the infrastructure needed and solicit the relevant stakeholder feedback.

Is there an appropriate funding mechanism? It's unclear from the current version of this bill how shifting the program oversight from DMS and the counties to the CEC will be funded. This bill does not establish fee authority for the CEC to inspect, register, or enforce any of the provisions of this bill.

Is the CEC's goal of getting more electric vehicle charging stations operational inconsistent with consumer protection? The CEC is currently offering significant annual grant funding and investments for the installation of fast electric vehicle charging equipment. The CEC will be tasked with both ensuring a robust charging network while at the same time taking enforcement for potential violations.

SUPPORT AND OPPOSITION:

Support:

Blink Charging
Chargepoint, INC
Electric Vehicle Charging Association
Electrify America, LLC
Nema
Plug in America
Powerflex
Qmerit
Trout Electric

Opposition:

California Agricultural Commissioners and Sealers Association

-- END --