

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 969 (Reyes) – As Amended June 29, 2026

Policy Committee: Privacy and Consumer Protection

Vote: 12 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill exempts electric vehicle supply equipment (EVSE) that meets type approval requirements and is factory-tested and certified from being placed in service or tested for tolerance requirements in the field by a registered service agency (RSA) or county sealer.

Specifically, this bill:

- 1) Requires the Secretary of Food and Agriculture, in consultation with the California Energy Commission (CEC), to update EVSE regulations by July 1, 2028, including regulations authorizing a risk-based statistical sampling inspection frequency for EVSE.
- 2) Requires the operator of an exempt EVSE to register the installation with the county sealer within 72 hours, requires sealers to report EVSE inspection data monthly to the Division of Measurement Standards (DMS) within the California Department of Food and Agriculture (CDFA), and requires DMS to provide that data to the CEC no less than twice per year.
- 3) Establishes conditions under which a sealer must, or may, take an EVSE out of service, and requires that metrologically relevant repairs be performed only by a service agency or service agent.

FISCAL EFFECT:

- 1) Costs of an unknown amount, likely in the hundreds of thousands of dollars annually for a limited period, to CDFA (Department of Food and Agriculture Fund, General Fund) for DMS to adopt regulations governing EVSE inspection frequency by July 1, 2028, develop the risk-based statistical sampling methodology, receive and process monthly inspection data from county sealers, and compile and transmit data to the CEC no less than biannually. Ongoing data collection and reporting workload is likely minor and absorbable within existing resources.
- 2) Costs to the CEC for one air pollution specialist position at \$191,000 annually and ongoing (Alternative and Renewable Fuel and Vehicle Technology Fund). CEC reports this position will be responsible for analyzing relevant statistics necessary to inform CDFA during the rulemaking required by bill, coordinate with CDFA, and monitor compliance and engage in follow-up rulemakings.
- 3) Costs of an unknown amount, likely minor, to county sealers to receive placed-in-service reports, submit monthly EVSE inspection data to DMS, and administer the notice-and-cure

process before taking an EVSE out of service. County sealers have authority to levy service charges and fees sufficient to cover these duties; any costs are therefore non-reimbursable by the state.

COMMENTS:

- 1) **Purpose.** According to the author, EV chargers that sell electricity as transportation fuel are regulated as commercial measuring devices, but the current testing system is unevenly enforced, costly, and difficult to scale, with a limited number of certified testers delaying charger deployment. The author states this bill allows factory-tested and certified chargers to be placed into service without an additional field test while preserving county sealers' authority to inspect and test chargers in response to complaints.
- 2) **Background.** California has goals of five million zero-emission vehicles (ZEVs) on the road by 2030 and 100% ZEV in-state sales of passenger vehicles by 2035, supported by a target of 250,000 commercial EV chargers statewide. As of September 2025, the state had installed over 200,000 public and shared private EV charger ports. Under existing law, EV chargers used commercially must be tested and placed in service by a county sealer or RSA before use and retested after repairs. Only 46 of California's 628 RSAs are certified and equipped to test EV chargers, creating bottlenecks and costs for charger owners and operators. The Assembly Privacy and Consumer Protection Committee analysis notes that most cited compliance issues stem from labeling, registration, and process requirements, with virtually no cases of inaccurate measurement of electricity delivered.
- 3) **Support and Opposition.** This bill is supported by EV charging companies, including ChargePoint, Tesla, and Electrify America, automakers, and environmental organizations, including the Natural Resources Defense Council and Sierra Club California, who argue this bill removes unnecessary barriers to charging deployment while maintaining measurement integrity. The California Agricultural Commissioners & Sealers Association is neutral with recent amendments. The California State Association of Counties holds an "oppose unless amended" position with respect to a prior version of this bill; it appears that recent amendments removed most of their articulated concerns, but it is unclear whether they remain in formal opposition.

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