

SENATE THIRD READING
SB 969 (Reyes)
As Amended August 13, 2026
Majority vote

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.

Major Provisions

- 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.

COMMENTS

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.

What this bill would do. This bill would exempt EV chargers that are factory tested and certified as accurate by a factory RSA from being re-tested or placed into service by a county sealer or RSA prior to being used commercially. Operators of such EV chargers would be required to register their installation with the county sealer within 72 hours of installation, and sealers would be able to take EVSE models or devices out of service for not meeting type approval or applicable tolerance requirements. The bill outlines a data collection scheme whereby sealers report EV inspection data to the Division of Measurement Services, and the Division compiles and reports inspection data to the Energy Commission. Nothing in the bill prohibits a sealer from testing a device in accordance with their normal authority.

A coalition of EV charging companies led by the Electric Vehicle Charging Association describe the need for this legislation:

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.

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Factory validation avoids expensive post-installation remediation, reduces site visits by technicians, shortens commissioning timelines, and minimizes the risk of chargers being taken out of service for metrology issues. By ensuring conformity before shipment, manufacturers and operators prevent high-cost field recalibration, charger replacements, and lost charging revenue—delivering a lower total cost of ownership while maintaining full consumer protection and measurement integrity. Removing the bottleneck for placing chargers into service will also allow state and local regulators to more efficiently direct testing personnel and resources that are better focused on consumer protection.

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.

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.

SB 969 addresses this issue by modernizing the regulatory framework for EV charger weights and measures. These updates include allowing EV chargers that have been factory-tested and certified for accuracy to be placed into service without requiring an additional field test. It also clarifies the circumstances under which a charger may be taken out of service while preserving the authority of county sealers to inspect and test chargers in response to complaints. Together, these changes maintain strong consumer protections while reducing unnecessary barriers to deploying and operating EV charging stations across California.

Arguments in Support

A coalition of environmental advocacy groups led by the Natural Resources Defense Council writes in support:

California must deploy hundreds of thousands of charging ports over the coming years to support increasing EV adoption and achieve the state's climate and air quality goals. Every unnecessary barrier to charging infrastructure deployment makes that transition more difficult and more expensive. Reducing unnecessary barriers to charging deployment is particularly important in multifamily communities, workplaces, and other shared charging settings, where reliable charging access is essential to ensuring that the benefits of transportation electrification are broadly available and that all Californians can participate in

the transition to cleaner transportation. At the same time, drivers must be able to trust that public charging stations provide accurate and transparent transactions. SB 969 advances both objectives.

Arguments in Opposition

None.

FISCAL COMMENTS

According to the Appropriations Committee:

- 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.

VOTES

SENATE FLOOR: 37-0-3

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Caballero, Gonzalez, Rubio

ASM PRIVACY AND CONSUMER PROTECTION: 12-0-3

YES: Bauer-Kahan, Macedo, DeMaio, Irwin, Lowenthal, McKinnor, Ortega, Pellerin, Petrie-Norris, Ward, Bennett, Wilson
ABS, ABST OR NV: Bryan, Hoover, Patterson

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache
ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

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CONSULTANT: Slater Sharp / P. & C.P. / (916) 319-2200

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