

DOCKETED

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CALIFORNIA ENERGY COMMISSION

715 P Street
Sacramento, California 95814



energy.ca.gov

NOTICE OF PROPOSED ACTION

Rulemaking to Amend Electric Vehicle Charger Reliability Standards
Title 20, California Code of Regulations
Amendments to Sections 3121, 3122, 3123, 3125, 3127, 3128, 3131, and 3132 in
Division 2, Chapter 12, Article 2

Docket No. 22-EVI-04
Notice Published on August 7, 2026

INTRODUCTION

The California Energy Commission (CEC) proposes amendments to the EV charger data and reliability standards in the Title 20, California Code of Regulations, Division 2, Chapter 12, Article 2 to exempt Megawatt Charging System (MCS) EV chargers from certain requirements of this Article and provide minor refinements within.

PUBLIC HEARING

The CEC will hold a public hearing for the proposed regulations at the date and time listed below. Interested persons, or their authorized representative, may present statements, arguments, or contentions relevant to the proposed regulations at the public hearing. The record for this hearing will be kept open until every person present at the conclusion of staff's presentation has had an opportunity to provide comment.

Wednesday, September 24, 2026

10:00 a.m. (Pacific Time)

ATTENDANCE INSTRUCTIONS

Remote Attendance: The public hearing may be accessed by clicking the Zoom link below or visiting Zoom at <https://join.zoom.us> and entering the ID and password below. If you experience difficulties joining, you may contact Zoom at (888) 799-9666 ext. 2, or the Office of the Public Advisor, Energy Equity and Tribal Affairs at publicadvisor@energy.ca.gov or by phone at (916) 957-7910.

URL: <https://energy.zoom.us/j/89612841296>
[pwd=lm8lTb1cmalNybHwMAtLqIwKqGbPI.1](https://energy.zoom.us/j/89612841296?pwd=lm8lTb1cmalNybHwMAtLqIwKqGbPI.1)
Webinar ID: 896 1284 1296
Passcode: 590851

To participate by telephone, dial (669) 219-2599 or (213) 338-8477 (toll free). When prompted, enter the webinar ID and password listed above. For Zoom technical support dial (888) 799-9666 ext. 2 or contact the CEC's Public Advisor for help at publicadvisor@energy.ca.gov and (916) 957-7910. To comment or ask a question over the telephone, dial *9 to "raise your hand" and *6 to mute/unmute your phone line.

Zoom Closed Captioning Service: At the bottom of the screen, click the Live Transcript CC icon and choose "Show Subtitle" or "View Full Transcript" from the pop-up menu. To stop closed captioning, close the "Live Transcript" or select "Hide Subtitle" from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. An accurate transcript of the workshop will be docketed and posted as soon as possible after the meeting concludes.

PUBLIC ADVISOR

The CEC's Office of the Public Advisor, Energy Equity, and Tribal Affairs assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, reach out via email at publicadvisor@energy.ca.gov or by phone at (916) 957-7910 as soon as possible, but at least five days in advance. The CEC will work diligently to meet all requests based on availability.

MEDIA INQUIRIES

Direct media inquiries to the Media and Public Communications Office at (916) 654-4989, or by e-mail at mediaoffice@energy.ca.gov.

PUBLIC COMMENT PERIOD

Interested persons or their authorized representatives may submit written comments during the written public comment period for the proposed regulation that will be held from August 7, 2026 through 5:00 p.m. on September 22, 2026. The CEC will consider all comments received by 5:00 p.m. on September 22, 2026. The CEC appreciates receiving written comments at the earliest possible date. Comments submitted outside this comment period are considered untimely.

All information submitted will become part of the public record of this proceeding with access available via any internet search engine.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page on the [CEC website at Docket 22-EVI-04](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-EVI-04), <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-EVI-04>, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document consistent with Title 20, California Code of Regulations, Section 1208.1. The maximum file size allowed is 10 MB.

A paper copy may be mailed to:

California Energy Commission
Docket Unit
Docket No. 22-EVI-04
715 P Street, MS-4
Sacramento, CA 95814

To ensure you receive notice of any changes to the proposed regulations in this proceeding, please follow the instructions provided at the end of this notice to join the proceeding contact list.

STATUTORY AUTHORITY AND REFERENCE

Public Resources Code Sections 25210, 25213, 25216.5, 25218(e), 25231.5, 25301, 25302, 25303, 25304, 25305, 25400, 25401, 25601, 25602, 25618 authorize the CEC to adopt rules or regulations, as necessary, to implement, interpret, and make specific Public Resources Code Sections 25210, 25216.5, 25229, 25231.5, 25300, 25301, 25302, 25303, 25304, 25305, 25324, 25400, 25401, 25601, 25602, and 25618.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Summary of existing laws and regulations:

Effective January 1, 2023, Public Resources Code (PRC) Section 25231.5 directed the CEC to develop charging port uptime recordkeeping standards and deliver infrastructure reliability assessments (AB 2061, Ting, Chapter 345, Statutes of 2022), and provided the CEC authority to require uptime recordkeeping and reporting on EV charging ports that are publicly or ratepayer funded. PRC Section 25231.5(b)(3) allows these standards to vary by technology type.

Effective October 7, 2023, PRC Section 25231.5(d)(1) (AB 126, Reyes, Chapter 319, Statutes of 2023) directed the CEC to adopt tools to increase charging station uptime, including requirements for uptime, and operation and maintenance.

Effect of the proposed regulation:

The amendments in Article 2 would:

- Exempt publicly funded public chargers with MCS connectors from the reliability requirements.
- Provide additional time for Open Charge Point Protocol (OCPP) certification of charging network providers (CNPs).
- Ensure CNPs are notified of their reporting obligations.
- Clarify the recordkeeping and recording (R&R) agent designation.
- Add minor updates to the data dictionaries.

Difference from existing comparable federal regulation or statute:

The reliability and reporting requirements for publicly or ratepayer funded charging ports is similar to the federal National EV Infrastructure (NEVI) Formula Program (23 Code of Federal Regulations, Section 680.104). The CEC has determined that the proposed regulation does not duplicate or conflict with any other federal regulations or statute.

Broad objectives of the regulations and the specific benefits anticipated by the proposed amendments:

The broad objectives of the regulations are to:

- Support the nascent MCS charging segment by exempting these chargers from existing state reliability and reporting requirements.
- Implement minor refinements to the existing state reliability and reporting requirements.

Consistency or compatibility with existing state regulations:

The CEC has conducted an evaluation for any other regulations under this topic and has concluded that this is the only regulation concerning electric vehicle charging reliability standards. Therefore, the CEC has determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The CEC proposes to incorporate by reference the following documents:

- California Energy Commission, Hourly Charging Data Reporting Specification (April 22, 2026).
- California Energy Commission, Semiannual Charging Data Reporting Specification (April 22, 2026).
- Society of Automotive Engineers, Megawatt Charging System For Electric Vehicles (March 4, 2025). <https://www.sae.org/standards/j3271202503-sae-megawatt-charging-system-electric-vehicles>.

The above documents are reasonably available to the affected public in conformance with California Code of Regulations, Title 1, Section 20(c). All documents are available for review during business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., at the CEC located at 715 P Street, Sacramento, CA 95814, and on the [CEC website at Docket 22-EVI-04](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed regulation is not mandated by federal law or regulations.

OTHER STATUTORY REQUIREMENTS

The CEC is not aware of any other statutory requirements that are relevant to the proposed regulations.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose a mandate on local agencies or school districts that requires state reimbursement pursuant to Government Code Sections 17500 et seq.

FISCAL IMPACTS

The CEC has made the following initial determinations:

- Cost or savings to any state agency: None.
- Cost to any local agency or school district that is required to be reimbursed pursuant to Government Code Sections 17500 et seq.: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The CEC has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The CEC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Based on its analysis, the CEC has concluded that the proposed regulations: (1) will not create jobs within California, (2) will not eliminate jobs within California, (3) will not create new businesses in California, (4) will not eliminate existing businesses within California, and (5) will not result in the expansion of businesses currently doing business within the state.

The proposed regulations will benefit consumers, the health and welfare of California residents, and the state's environment by supporting the nascent MCS industry.

BUSINESS REPORTING REQUIREMENTS

The separate disclosure requirement in section 3132(a)(2) is an essential administrative mechanism designed to bridge a gap that can exist when a funding recipient is not the entity managing the EV charger software. In these instances, this disclosure ensures that the charging network provider—the party actually possessing the actual data—is formally notified of its specific reporting obligations under sections 3123 and 3125, thereby preventing a breakdown in accountability for publicly- or ratepayer-funded charging infrastructure. This reporting requirement is vital for the health, safety, and welfare of Californians because it enables the state to accurately monitor charger uptime and reliability in support of the state’s transition to zero-emission vehicles. Therefore, it is necessary for the health, safety, and general welfare of the people of the state that this regulation which requires a report apply to businesses.

EFFECT ON SMALL BUSINESS

CEC staff estimates that no small businesses will be impacted. This conclusion is based on the definition of “small business” contained in Government Code section 11346.3, subdivision (b)(4)(B), which defines a small business as one that is independently owned and operated, not dominant in its field of operation, and has fewer than 100 employees. The CEC is not aware of any cost that a small business would incur in reasonably complying with the proposed regulations.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

ALTERNATIVES STATEMENT

In accordance with Government Code Section 11346.5, subsection (a)(13), the CEC must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposed regulation; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

No reasonable alternatives to the proposed regulation have been proposed that would lessen any adverse impact on small business or that would be less burdensome and equally effective in achieving the purposes of the regulation in a manner that achieves the purposes of the statute being implemented.

CEC staff considered the following alternative:

Alternative 1

Staff considered retaining Article 2 with no proposed amendments. This would require MCS EV chargers to meet the reliability requirements immediately.

Alternative 1 was not chosen primarily because it imposed reporting requirements on the nascent MCS charging segment which would have increased burden on industry.

CONTACT PERSONS

Questions should be addressed to:

Ross Daley, Rulemaking Coordinator
Executive Office
Ross.Daley@energy.ca.gov
+1 916 980 7949

OR

Jessica Keating, Energy Analyst
Jessica.Keating@energy.ca.gov
+1 279-226-1071

COPIES OF THE INITIAL STATEMENT OF REASONS, THE EXPRESS TERMS, AND RULEMAKING FILE

The CEC will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 715 P Street, Sacramento, CA 95814. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the Express Terms, the Initial Statement of Reasons (ISOR) and any documents relied upon or incorporated by reference. Copies may be obtained by contacting the contact persons listed above or by visiting the [CEC website at Docket 22-EVI-04](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

AVAILABILITY OF CHANGES TO ORIGINAL PROPOSAL FOR AT LEAST 15 DAYS PRIOR TO AGENCY ADOPTION/REPEAL/AMENDMENT OF RESULTING REGULATIONS

Participants should be aware that any of the proposed regulations could be changed because of public comment, staff recommendation, or recommendations from Commissioners. Moreover, changes to the proposed regulations not indicated in the Express Terms could be considered if they improve the clarity or effectiveness of the regulations. If the CEC considers changes to the proposed regulations pursuant to Government Code Section 11346.8, a full copy of the text will be available for review at least 15 days prior to the date on which the CEC adopts or amends the resulting regulations.

COPY OF THE FINAL STATEMENT OF REASONS

At the conclusion of the rulemaking, persons may obtain a copy of the Final Statement of Reasons once it has been prepared by visiting the [CEC website at Docket 22-EVI-04](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The CEC maintains a website to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the CEC for this rulemaking have been posted on the [CEC website at Docket 22-EVI-04](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

INSTRUCTIONS FOR RECEIVING NOTICES AND DOCUMENTS IN THIS PROCEEDING

To stay informed about this proceeding and receive documents and notices of upcoming workshops and hearings as they are filed, please subscribe for automatic email updates for this rulemaking, by using the subscribe box here: [Electric Vehicle Charging Infrastructure Reliability Reporting and Performance Standards](#), then following any prompts. Members of the public can subscribe to this topic at the link above. The subscription sends out email notifications and direct links when documents and notices are filed in the proceeding docket. If you are unable or do not wish to sign up for automatic email updates but still would like to receive documents and notices, please contact the contact person listed in this notice.