

Assembly Bill No. 2697

CHAPTER 735

An act to amend Section 44268.2 of the Health and Safety Code, relating to transportation electrification.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2697, Irwin. Transportation electrification: electric vehicle charging stations: network roaming standards.

Existing law prohibits persons desiring to use an electric vehicle charging station that requires payment of a fee from being required to pay a subscription fee to use the station and from being required to obtain membership in any club, association, or organization as a condition of using the station. Existing law requires the total actual charges for the use of an electric vehicle charging station, including any additional network roaming charges for nonmembers, to be disclosed to the public at the point of sale. Existing law authorizes the State Energy Resources Conservation and Development Commission to adopt interoperability billing standards for network roaming payment methods for electric vehicle charging stations if no interoperability billing standards have been adopted by a national standards organization by January 1, 2015.

This bill would require the commission to apply any network roaming standards it adopts only to major electric vehicle charging network providers, as defined. The bill would require that those network roaming standards require major electric vehicle charging network providers to accept payment for charging made by users from multiple other major electric vehicle charging network providers and automakers.

The people of the State of California do enact as follows:

SECTION 1. Section 44268.2 of the Health and Safety Code is amended to read:

44268.2. (a) (1) Persons desiring to use an electric vehicle charging station that requires payment of a fee shall not be required to pay a subscription fee in order to use the station, and shall not be required to obtain membership in any club, association, or organization as a condition of using the station. The total actual charges for the use of an electric vehicle charging station, including any additional network roaming charges for nonmembers, shall be disclosed to the public at the point of sale.

(2) Notwithstanding paragraph (1), an electric vehicle charging station may offer services on a subscription- or membership-only basis provided those electric vehicle charging stations allow nonsubscribers or nonmembers the ability to use the electric vehicle charging station through the payment options detailed in paragraph (3).

(3) (A) An electric vehicle charging station that requires payment of a fee and that is first installed or first made publicly available on or after July 10, 2023, at a minimum, shall provide both of the following:

(i) A contactless payment method that accepts major credit and debit cards. For purposes of this clause, “contactless payment method” means a secure method for consumers to purchase services using a debit card, credit card, smartcard, or another payment device, by using radio frequency identification (RFID) technology and near-field communication (NFC).

(ii) Either an automated toll-free telephone number or a short message system (SMS) that provides the electric vehicle charging customer with the option to initiate a charging session and submit payment.

(B) A direct current fast charging station that is first installed or first made publicly available on or after July 10, 2023, shall also include Plug and Charge payment capabilities meeting the International Organization for Standardization (ISO) 15118 standard no later than July 10, 2024.

(C) The commission, by regulation that is effective no earlier than January 1, 2028, may add to or subtract from payment methods required by this paragraph, as appropriate in light of changing technologies.

(b) The service provider of electric vehicle service equipment at an electric vehicle charging station or its designee shall disclose to the National Renewable Energy Laboratory the electric vehicle charging station’s geographic location, a schedule of fees, accepted methods of payment, and the amount of network roaming charges for nonmembers, if any.

(c) Electric vehicle charging stations shall be labeled in accordance with Part 309 of Title 16 of the Code of Federal Regulations, and, where commercially reasonable and feasible, may be clearly marked with appropriate directional signage in the parking area or facility where they are located.

(d) (1) If no interoperability billing standards have been adopted by a national standards organization by January 1, 2015, the commission may adopt interoperability billing standards for network roaming payment methods for electric vehicle charging stations. If the commission adopts interoperability billing standards, all electric vehicle charging stations that require payment shall meet those standards within one year. Any standards adopted by the commission shall consider other governmental or industry-developed interoperability billing standards and may adopt interoperability billing standards promulgated by an outside authoritative body.

(2) (A) The commission shall apply any network roaming standards adopted pursuant to this section only to major electric vehicle charging network providers.

(B) (i) For purposes of this section, “major electric vehicle charging network provider” means an electric vehicle charging network provider that manages at least 100 publicly available electric vehicle charging stations in the state.

(ii) Notwithstanding clause (i), the commission may increase the number of publicly available electric vehicle charging stations a major electric vehicle charging network provider must manage in its network before triggering network roaming standards as part of any standards adopted pursuant to this section.

(C) Network roaming standards adopted pursuant to this section shall require major electric vehicle charging network providers to accept payment for charging made by users from multiple other major electric vehicle charging network providers and automakers to simplify drivers’ ability to find an electric vehicle charging station and pay for charging.

(D) Network roaming standards adopted pursuant to this section shall ensure major electric vehicle charging network providers maintain the ability to choose bilateral or hub-based agreements for roaming agreements.