



April 5, 2019

Dr. Richard Corey  
Executive Officer  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**Re: Coalition Proposed Amendments to the Proposed Regulation, “Electric Vehicle Supply Equipment Standard”**

Dear Dr. Corey,

The coalition of undersigned organizations writes to propose additional amendments to the proposed regulation above, based on the version published on the ARB website on March 25, 2019 and presented at the ARB webinar on April 2, 2019. Our goal is to ensure appropriate consumer protections while striking a balance of cost and implementation considerations for Electric Vehicle Supply Equipment (EVSE) deployment.

**Principles**

Our proposed amendments are based on three core principles:

- 1) To ensure open and universal access to publicly available charging stations, especially given many of them were deployed with public funding from the State and Federal Governments.
- 2) To ensure that such open access takes into consideration the needs of Disadvantaged Communities (DAC), many of whom do not possess smart phones, credit cards, or bank accounts.
- 3) To protect the existing investment California has made so far in building a public EV charging infrastructure.

**Proposed Amendments**

We present the following high-level amendments and look forward to discussing with you the detailed language that would be implemented in the actual regulation:

1. Retain the retrofit requirement for credit/debit/prepaid EMV card readers on publicly available Level 2 and DCFC chargers for Disadvantaged Communities (DAC).

2. Eliminate the retrofit requirement for card readers on publicly available Level 2 chargers installed prior to some effective date for the new regulations, perhaps January 1, 2022.
3. For Level 2 chargers that are not retrofitted, add a requirement that a toll-free number be available, prominently posted or displayed on the chargers, to allow for payment over the phone via a toll-free number using a credit, debit or pre-paid card. Such requirement could take effect on January 1, 2020.
4. Amend the definition of "publicly available" in the regulation to more closely align with the statutory language, clarifying that workplace and multi-unit dwelling charging stations that are operated for employees, visitors, and MUD residents at least a majority of the time are not "publicly available," unless they have been "designated by a property owner or lessee to be available to, and accessible by, the public."

We appreciate your consideration of our recommendations as you further refine the proposed regulation.

Please contact Jay Friedland, Senior Policy Advisor, Plug In America at 831-818-3510 for additional questions or information.

Sincerely,



Raejean M. Fellows  
President  
Electric Auto Association



Joel Levin  
Executive Director  
Plug In America




Matthew Nelson  
Director, Government Affairs  
Electrify America



Chris King  
Chief Policy Officer  
Siemens Digital Grid



Thomas Ashley  
Vice-President, Policy  
Greenlots



Jeff Wolfe  
President  
Tritium

cc: Mr. Steve Cliff, California Air Resources Board  
Ms. Analisa Bevan, California Air Resources Board  
Mr. Joshua Cunningham, California Air Resources Board  
Ms. Elise Keddie, California Air Resources Board  
Ms. Stephanie Palmer, California Air Resources Board

## Why Plug In America Supports ARB's Proposed Electric Vehicle Supply Equipment (EVSE) Standards

*We're a non-profit advocating for hundreds of thousands of EV consumers.*

- 1) Consumers need **true** Open Access to EV Charging
  - Similar or better than how they refuel their cars today
  - Can you imagine pulling into a gas station and not knowing how much you'll pay for the fuel, if it will take your credit or debit card, or having to download an app, call an 800 number, or join a club before you pump? This regulation is a way to address these consumer needs
  - Card readers (Credit, Debit, Prepaid) are the most basic way to solve the issue of never leaving any driver stranded at a public charger
  - Relative to driver access to charging, we need to avoid future technologies that are not yet available - including contactless credit cards and vehicle telematics charging.
  - **Disadvantaged communities** buying new or used EVs **are disproportionately impacted** where their public charging access is critical - 25% of the consumers are unbanked or underbanked, and 23% of Californians don't have smart phone and more who can't get a signal
  - A simple set of fair regulations will **strengthen and increase** the size of the market by giving drivers the certainty of *actual open access*, especially as the number of vehicles grows at an accelerating pace
  
- 2) Special interests are using **scare tactics**. The regulation's opponents want you to believe that the costs to add card readers will place an extreme burden on them and previous installations will be ripped out, but these numbers have been inflated out of proportion and the actual costs according to the legislative analysis may be as low as \$10M. Taxpayers have *already* paid \$106 million to these same charging companies to support public EV infrastructure. *Isn't it reasonable to ask them to provide access to every driver? They have also introduced AB1424 to override the regulation.*
  
- 3) We believe that the Board should accept the staff proposal with one key addition, set definitive dates for retrofit or replacement of Level 2 and DCFC EVSE and prioritize Level 2 and DCFC EVSE in Disadvantaged Communities, with replacement dates of July 1, 2023 and July 1, 2021 respectively.

Let's give the public confidence to purchase and drive these amazing EVs. That will enable the rapid expansion of a fair market for public EV charging.



May 7, 2019

Assembly Member Marc Berman  
State Capitol, Room 6011  
Sacramento, CA 95814

**RE: AB 1424 (Berman) Electric Vehicle Charging Stations Open Access Act – OPPOSE**

Dear Assembly Member Berman,

On behalf of the steering committee members of the Charge Ahead California Campaign (Coalition for Clean Air, Communities for a Better Environment, Environment California, The Greenlining Institute, and the Natural Resources Defense Council), we write to regretfully express our opposition to your bill, AB 1424, which would undermine the authority of the Air Resources Board (ARB) to ensure more reliable and equitable payment access for all electric vehicle drivers.

It is estimated that nearly twice as many Californians die from dirty air due to traffic pollution as from motor vehicle accidents.<sup>1</sup> Analysis conducted by the Air Resources Board, the South Coast Air Quality Management District, and the San Joaquin Valley Air Pollution Control District demonstrates there is no alternative to the widespread use of electricity as a transportation fuel if California is to comply with the federal air quality standards.<sup>2</sup> Likewise, reducing emissions of greenhouse gases as required by Senate Bill 32 will require the mass adoption of vehicles powered by renewable electricity.

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<sup>1</sup> 5,726 annual premature deaths in California due to PM 2.5 and 209 from ozone (Fabio Caiazzo et al., *Air pollution and early deaths in the United States*, Atmospheric Environment, 2013) compared to 3,081 traffic fatalities ([Selected Detail Within Leading Causes Of Death By Sex And Race/Ethnic](#), California Department of Public Health.)

<sup>2</sup> *Vision for Clean Air: A Framework for Air Quality and Climate Planning*, June 27, 2012.

To meet the goals of the Charge Ahead California Initiative (SB 1275, De León) of creating a mainstream market for electric vehicles and increasing access to those vehicles for low- and moderate-income households and for residents in disadvantaged communities, customers need reliable access to electricity as a transportation fuel where they live, work and play. However, in our view, AB 1424 would undermine reliable access by prohibiting any state agency from requiring charging stations to accept credit card payment in the forms that would most align with customer expectation and open access. Customers should be able to pay for charging at these stations with a credit card, just as they would expect to be able to at gas stations or parking meters. While we understand the eagerness to move to the “payment forms of the future,” it is imperative that charging stations deployed today are aligned with the payment forms of the present and that California does not leave any drivers behind in prematurely racing towards the future.

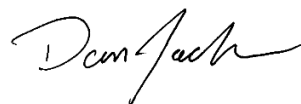
AB 1424 would also undermine an ongoing public regulatory process underway at ARB under the authority granted to it by SB 454 (Corbett, 2013) and would make charging less accessible and less equitable, countering the goals codified by the Charge Ahead California Initiative.

If the bill sponsors, the author, and ARB are able to reach a compromise on the regulations and the bill language, we are happy to reevaluate our position. But at this time, we believe these issues are best worked out through the regulatory process.

Respectfully submitted,



Max Baumhefner  
Natural Resources Defense Council



Dan Jacobson  
Environment California



Bahram Fazeli  
Communities for a Better Environment



Bill Magavern  
Coalition for Clean Air



Alvaro Sanchez  
The Greenlining Institute