

Assembly Bill 970: Permitting Process & Timelines

Overview

Assembly Bill 970 (McCarty, 2021) adds specific timelines to the expedited, streamlined review of electric vehicle charging station (EVCS) permit applications by all cities and counties in California per Assembly Bill 1236 (Chiu, 2015). Review periods are determined based on the size of the proposed project.

Application Completeness

- 1-25 stations at a single site: deemed complete after 5 business days
- 26 or more stations at a single site: deemed complete after 10 business days

Application Approval

- 1-25 stations at a single site: 20 business days
- 26 or more stations at a single site: 40 business days

Application Completeness

In developing an expedited permitting process as required by AB 1236, an Authority Having Jurisdiction (AHJ) must adopt a checklist of all requirements with which EVCS shall comply to be eligible for expedited review. An application that satisfies the information requirements in the checklist, as determined by the AHJ, shall be deemed complete. If the AHJ determines an application is incomplete, the AHJ will issue one written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. An EVCS application will be deemed complete if after 5 or 10 business days (based on the number of chargers at the site) the AHJ has not either:

1. Found the application to be complete; or
2. Issued a one-time written deficiency notice

If the city or county has not yet created its checklist, the deficiency notice will be limited to the building official's review of whether the project meets all health and safety requirements of local, state, and federal law per AB 1236.

Note: the process for an application to be deemed complete may take longer than 5 or 10 business days depending on the amount of time required for the applicant to respond to the items in the AHJ's written deficiency notice.

Electric Vehicle Charging Station Permit Streamlining

Application Approval

After an application has been deemed complete (either directly by the AHJ or after the 5 or 10 business days have elapsed without response), an AHJ has 20 or 40 business days (based on the number of chargers at the site) to approve or deny the project after administrative review limited to health and safety.

The project will be deemed approved if:

- No action is taken within these timelines (i.e., the AHJ has not made a finding based on substantial evidence, that the EVCS could have a specific adverse impact upon the public health or safety;
- The AHJ has not required the applicant to apply for a use permit as specified in Section 65850.7(b); and an appeal has not been made to the planning commission pursuant to Section 65850.7(d)).

AB 970 does not designate an enforcement authority to issue a permit if the permit review timeline has elapsed without an AHJ response. A station developer must determine whether to move forward with the installation of a project that was deemed complete and approved based on AB 970 timelines without AHJ review and approval.



Resources

Please review the [Electric Vehicle Charging Station Permitting Guidebook](#), which this guide is modeled after, for more comprehensive information.

For more information visit the Plug-In Vehicle Charging Station Readiness website: [Plug-In Vehicle Charging Station Readiness Website](#).

[Learn more about Zero-Emission Vehicles.](#)

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