AMENDED IN COMMITTEE
4/13/2026

FILE NO. 260238 ORDINANCE NO. **76-26**

[Administrative, Public Works, Transportation Codes - Electric Vehicle Curbside Charging]

Ordinance amending the Administrative Code to authorize the San Francisco Municipal Transportation Agency (SFMTA) to establish a curbside electric vehicle charging station permit program for the installation and operation of curbside electric vehicle charging stations on City sidewalks and provide that permittees are not required to obtain a sidewalk encroachment permit from the Department of Public Works; amending the Public Works Code to reflect the authority of the SFMTA ~~San Francisco Municipal Transportation Agency~~ to issue permits for the curbside electric vehicle charging station program; amending the Transportation Code to authorize SFMTA to impose administrative penalties for violations of electric vehicle charging station permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Background and Findings.

(a) Curbside electric vehicle ("EV") charging in San Francisco advances the City's climate, equity, and public health goals while aligning with California's mandate that 100% of new in-state passenger car and light-duty truck sales be zero-emission by 2035. San Francisco has set ambitious local targets—25% of all registered private vehicles be electric by

2030 and 100% by 2040—making it essential to expand access to reliable, affordable, and conveniently located charging infrastructure. The City's effort builds on State legislation such as Assembly Bill 2427 (2023–2024), which directs the development of model permitting checklists, zoning standards, and streamlined processes to help local governments permit curbside charging stations efficiently. It also aligns with Assembly Bill 2127 (2017-2018), which underscores the scale of infrastructure needed by projecting that California must install millions of vehicle chargers to meet its zero-emission transportation goals. Curbside charging is especially critical in San Francisco, where a significant share of residents live in multi-unit buildings without access to off-street parking. By enabling convenient public charging at the curb, the City can accelerate the transition to zero-emission vehicles, reduce air pollution in densely populated neighborhoods, and ensure that the transition to clean transportation is accessible to all residents.

(b) In 2021, the City developed a Climate Action Plan ("CAP"), which outlined a comprehensive strategy and specific actions to reduce greenhouse gas emissions and promote a healthier, more equitable future for all residents. One of the goals identified in the CAP was the provision of on-street, curbside electric vehicle charging, along with off-street charging in public and private parking lots and garages. Providing these chargers will help accelerate the adoption of zero-emission vehicles and other electric mobility options in San Francisco.

(c) In June 2024, the Board of Supervisors adopted Resolution No. 326-24 to support the development of the Curbside EV Charging Feasibility Study, by the San Francisco Municipal Transportation Agency ("SFMTA") and the Department of the Environment, in collaboration with the Department of Public Works ("Public Works"), the San Francisco Public Utilities Commission ("SFPUC"), and the San Francisco County Transportation Authority ("SFCTA"). Published in April 2025, the study explored operational, financial, and regulatory

issues for installing, maintaining, and operating a public facing charging network at the curb. The study identified the risks and opportunities to operate a curbside charging network and identified practical solutions and recommendations to help advance creation of the network.

(d) In 2024, the City launched a demonstration pilot program to install curbside EV chargers at select on-street parking spaces to gather data to inform future efforts. The initiative aligned with the City's CAP and was a first step in achieving the goal of implementing convenient and affordable curbside EV charging for residents without dedicated garages.

(e) This ordinance will support the City's goal of transitioning from a pilot to a permanent curbside EV charging program and expand electrification to meet the demand for Citywide charger deployment. A key component of the permanent program is to create a new permitting structure under the SFMTA to act as the lead permitting agency for the installation of curbside EV chargers in the public right-of-way in lieu of requiring an encroachment permit from DPW. This ordinance authorizes the SFMTA to create a permit program by delegating certain permitting authority from DPW to the SFMTA. It is anticipated that SFMTA's permit program will prioritize charging for renters and multifamily residents without available on-site charging by focusing on installations in high density locations in vehicle-reliant areas. The program will avoid conflicts with existing or planned street uses, such as transit lanes, bikeways, and commercial corridors.

(f) The Board of Supervisors urges the SFMTA to design and implement the curbside EV charging program to discourage commercial fleet vehicle charging and maximize charging station access to private individuals in order to meet the legislative intent of providing electric vehicle charging opportunities for residents who do not have access to off-street garages within their homes.

Section 2. Environmental Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 260238 and is incorporated herein by reference. The Board affirms this determination.

Section 3. The Administrative Code is hereby amended by adding Chapter 46, to read as follows:

CHAPTER 46: CURBSIDE ELECTRIC VEHICLE CHARGING PERMIT PROGRAM.

(a) The San Francisco Municipal Transportation Agency ("SFMTA") is authorized to establish a permit program to allow the installation and operation of curbside electric vehicle charging stations within the public right-of-way, as defined in Public Works Code Section 2.4.4 (the "Curbside EV Charging Program").

(b) For purposes of the Curbside EV Charging Program only, applicants shall not be required to obtain a major or minor encroachment permit from the Department of Public Works under Sections 786 or 723.2 of the Public Works Code. Applicants must obtain all other applicable permits, including excavation permits under Article 2.4 of the Public Works Code. Except as expressly provided in this Chapter 46, the jurisdiction of the Department of Public Works shall not be modified by this Chapter 46.

Section 4. Article 15 of the Public Works Code is hereby amended by revising Section 723, to read as follows:

SEC. 723. OBSTRUCTION OF AND ENCROACHMENT UPON PUBLIC RIGHT-OF-WAY PROHIBITED.

(a) It shall be unlawful for any person, firm or corporation, without permission from the Department of Public Works ("the Department") or *from the San Francisco Municipal Transportation Agency with respect to curbside electric charging stations permitted under Administrative Code Chapter 46 and the Transportation Code,* to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way, whether the same be graded or not.

(b) "Public right-of-way" shall mean the area across, along, beneath, in, on, over, under, upon, and within the dedicated public alleys, boulevards, courts, lanes, roadways, sidewalks, spaces, streets, and ways within the City, as they now exist or hereafter will exist and which are or will be under the permitting jurisdiction of the Department. The placement of any obstructions or encroachments upon, above, or below any public right-of-way shall comply with all applicable provisions of federal, State, and local disability and accessibility laws.

(*c*~~b~~) Any violation of this Section 723, or any violation of any encroachment permit issued by or right-of-way authorization granted by the Department of Public Works, *or any violation of a permit issued by the San Francisco Municipal Transportation Agency for installation of a curbside electric vehicle charging station under Administrative Code Chapter 46 and the Transportation Code,* shall be deemed a public nuisance subject to enforcement actions pursuant to Administrative Code Chapter 100, which is hereby incorporated in its entirety, Administrative Code Chapter 80, and Police Code Section 39-1, and other Public Works regulations, procedures, and actions adopted by order.

Section 5. Article 7 of the Transportation Code is hereby amended by adding Section 7.2.56, to read as follows:

SEC. 7.2.56. CURBSIDE ELECTRIC VEHICLE CHARGING STATIONS.

In addition to any penalty established by the California Vehicle Code related to parking, the Municipal Transportation Agency may impose administrative penalties for violation of Transportation Code Section 918 permit requirements or for the installation or operation of an unpermitted curbside electric vehicle charging station.

Section ~~5~~6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section ~~6~~7. Effective Date. This ordinance shall become effective at 12:00 a.m. on the 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
MISHA TSUKERMAN
Deputy City Attorney

4927-9744-8095

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 260238 **Date Passed:** May 05, 2026

Ordinance amending the Administrative Code to authorize the San Francisco Municipal Transportation Agency (SFMTA) to establish a curbside electric vehicle charging station permit program for the installation and operation of curbside electric vehicle charging stations on City sidewalks and provide that permittees are not required to obtain a sidewalk encroachment permit from the Department of Public Works; amending the Public Works Code to reflect the authority of the SFMTA to issue permits for the curbside electric vehicle charging station program; amending the Transportation Code to authorize SFMTA to impose administrative penalties for violations of electric vehicle charging station permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

April 13, 2026 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 13, 2026 Land Use and Transportation Committee - CONTINUED AS AMENDED

April 20, 2026 Land Use and Transportation Committee - RECOMMENDED

April 28, 2026 Board of Supervisors - PASSED ON FIRST READING

Ayes: 9 - Chan, Chen, Dorsey, Mahmood, Mandelman, Melgar, Sauter, Sherrill and Wong
Excused: 1 - Fielder
Absent: 1 - Walton

May 05, 2026 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Chan, Chen, Dorsey, Mandelman, Melgar, Sauter, Sherrill, Walton and Wong
Excused: 2 - Fielder and Mahmood

File No. 260238

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/5/2026 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

Daniel Lurie
Mayor

MAY 7 , 2026

Date Approved