

DMS Notices & RSA Program

EVSE Focus

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California Department of Food Agriculture
Division of Measurement Standards

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All the following resources can be found on our CDFA-DMS Publications Page:

- California Business & Professions Code, Division 5
- California Code of Regulation, Title 4, Division 9
- Electronic Field Reference Manual
- California EPO No. 52 – Electric Vehicle Fueling Systems

<https://www.cdfa.ca.gov/dms/publications.html>

DMS Notices & EVSE-Specific DMS Notices

What are DMS Notices?

DMS Notices are Policy and Procedural Guidelines written pursuant to Business and Professions Code Section 12104.

Notices are divided into seven major categories:

- G – General (Administrative Functions)
- D – Weighing and Measuring Devices & Service Agencies
- M – Metrology
- P – Petroleum
- QC – Quantity Control
- T – Training
- W – Weighmaster



Division of Measurement Standards

Policy and Procedural Guidelines (Notices)

The California Business and Professions Code requires the Department to issue instructions and make recommendations to county sealers which govern the procedures to be followed by officers in the discharge of their duties pursuant to Section 12104, Chapter 2, Division 5. The Notice Manual is the culmination of the Division's efforts to comply with this law. The contents of this manual are divided into seven major categories of information.

Notices

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EVFS/EVSE DMS NOTICES

2020

D-20-02: EVFS Frequently Asked Questions

D-20-03: EVFS Field Reference Document

D-20-06: W&M Reg. Authority Over W&M Devices Owned by a City, etc.

D-20-08: EVFS – Testing, Sealing, and Registration

2021

D-21-02R: EVFS – Testing, Sealing, and Registration

D-21-03: (Update) EVFS – Testing, Sealing, and Registration

2022

D-22-01: DCFC EVFS – Testing, Sealing, and Registration

D-22-02: (Update) DCFC EVFS – Testing, Sealing, and Registration

2023

D-23-01: EVFS/EVSE – Meaning of Installed vs. Placed in Service

2025

D-25-01: EVFS Factory RSA Guidance

Pre-2020

2013

A United States National Work Group (USNWG) was formed to develop proposed requirements for commercial electricity-measuring devices.

2015

The 3.40. Electric Vehicle Fueling Systems Code was incorporated into NIST HB 44 with a Tentative Status; appearing in the 2016 edition of NIST HB 44.

2018

CDFA-DMS entered rulemaking to adopt the then tentative 3.40. Electric Vehicle Fueling Systems Code from NIST HB 44, removing its tentative status and incorporating it as an operative regulation.

2019

4 CCR § 4002.11 was filed and became operative in April 2020.

2020

As discussed in an earlier presentation, 4 CCR § 4002.11 contains specific dates of installation for AC & DC EVSE identifying when these devices must comply with applicable regulations.

- All AC EVSE installed on or after January 1, 2021, are required to comply with 4 CCR, Division 9, Chapter 1, Article 1 upon installation.
- All DC EVSE installed on or after January 1, 2023, are required to comply with 4 CCR, Division 9, Chapter 1, Article 1 upon installation.

In 2020 there were extensive efforts by CDFEA-DMS, County Sealers of W&M, and Industry to prepare for the upcoming requirements applicable to AC devices.

Four DMS Notices were issued in 2020 because of these preparation efforts.

2020 – DMS Notices

D-20-02: EVFS Frequently Asked Questions [6/16/2020]

This notice was issued to answer many questions about the regulations, type evaluation, testing equipment, traceability, an EPO, and registration of EVSE.

D-20-03: EVFS Field Reference Document [6/16/2020]

California adopts the most current version of NIST HB 44 with some additions and some exceptions; CDFA-DMS issued this notice to provide a reference document which identified the 3.40. EVFS Code in its entirety as adopted in 4 CCR.

D-20-08: EVFS – Testing, Sealing, and Registration [12/24/2020]

COVID-19 significantly impacted CTEP and their ability to type evaluate EVSE. Additionally, many EVSE applicants had contracts to install their devices throughout the state. Due to the impacts from COVID-19, these applicants would not have a CTEP COA for their devices. It was recommended that counties follow their normal device registration procedures, but delay inspection, testing, and sealing until April 1, 2021.

2020 – DMS Notices (Continued)

D-20-06: W&M Reg. Authority - W&M Devices Owned by a City, etc. [9/16/2020]

In 1978 there was a DMS Notice (DMS-9) which spoke to an Attorney General (AG) Opinion (No. SO 77-13) clarifying that California county and state weights and measures officials do not generally have regulatory authority over commercially used weighing and measuring devices owned by a city, municipality, or a public entity.

The question of jurisdictional authority came up again due to concerns regarding cities who contracted with a vendor or service provider to operate electric vehicle supply equipment (EVSE) and conduct billing services on behalf of the city. In some of these contracts or agreements, the service provider is compensated based upon a percentage of the energy measured through an EVSE.

After legal review, it was determined that the vendor, contractor, or service provider is deriving revenue from their contractual agreement with the city, municipality, or public entity. It is the city, municipality, or public entity that is the owner of the device and seller of the commodity; therefore, such devices are exempted from weights and measures regulatory authority pursuant to AG Opinion No. SO 77-13.

Note: This notice pre-dates BPC § 12209.7 – please consult your chain of command regarding this section.

2021 – DMS Notices

D-21-02R: EVFS – Testing, Sealing, and Registration [3/11/2021]

D-21-03: (Update) EVFS – Testing, Sealing, and Registration [6/20/2021]

Both notices identified above were issued to provide an update to DMS Notice D-20-08, which had been issued in December 2020. COVID-19 impacts continued to severely impact the CTEP process.

D-21-03 identified two CTEP COAs which had been issued and provided a list of applicants who were in the type evaluation process but had not yet completed the process.

2022 – DMS Notices

D-22-01: DCFC EVFS – Testing, Sealing, and Registration [5/17/2022]

As previously discussed, 4 CCR § 4002.11 requires all DC EVSE installed after January 1, 2023, to comply with 4 CCR, Division 9, Chapter 1, Article 1 upon installation. This notice was issued to clarify that traceability for direct current (DC) electrical energy measurements (for the calibration of testing standards for DC EVSE) was unavailable; preventing the completion of type evaluation of DC EVSE. It was recommended that counties follow their normal device registration procedures, but delay inspection, testing, and sealing until traceable standards were available.

D-22-02: (Update) DCFC EVFS –Testing, Sealing, and Registration [7/20/2022]

This notice was issued as an update to DMS Notice D-22-01. Traceability for DC electrical energy measurement was still under development at the U.S. Department of Commerce, National Institute of Standards and Technology (NIST). To sustain the momentum of meeting requirements and deadlines, CDFA-DMS would evaluate DC EVSE for compliance with the type evaluation requirements except approval of device's accuracy class (testing the devices at low power levels) and issue Temporary Use Permits to those devices which were compliant.

2023 – DMS Notices

D-23-01: EVFS/EVSE – Meaning of Installed vs. Placed in Service [1/24/2023]

The Division of Measurement Standards (DMS) received questions regarding the meaning of “installed” vs. “placed in service” as those terms relate to EVSE, particularly the word “installed” as written in 4 CCR § 4002.11 A.1.1. & A.1.2.

CDFA-DMS referred these questions to CDFA Legal Counsel for their opinion. Their conclusion was, in summary: EVFS/EVSE that were connected to a power supply, e.g., “wall mounted” or “put in the ground”, prior to the effective dates [identified in 4 CCR § 4002.11 A.1.1. & A.1.2.], but not available for commercial purposes until after those dates, are exempt from compliance with CCR § 4002.11 until January 1, 2031 and January 1, 2033 respectively.

2025 – DMS Notices

D-25-01: EVFS Factory RSA Guidance [1/17/2025]

This Notice was issued to address resource constraints associated with on-site testing of EVSE utilizing a certified and traceable field standard for device accuracy verification.

The Notice identifies a two-tiered approach which would permit accuracy testing of the EVSE performed in the factory by an RSA, attesting that the device met applicable accuracy requirements as verified by an appropriate and traceable standard; then allowing an RSA in the field to place the device into service once all other applicable requirements are met.

The Notice emphasizes that although accuracy may be verified in a factory by an RSA, this allowance does not and will not eliminate the need for placing a device in service by an RSA or Sealer.

RSA Program

<https://www.cdfa.ca.gov/dms/programs/rsa/rsa.html>



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The Registered Service Agency program is responsible for registering service agencies and their employees who, for hire or payment of any kind, repair commercial weighing and measuring devices.

- > Consumers
- > Business
- > Government

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[September 30, 2025 Info Hour Responses](#) 

[September 17, 2025 Info Hour Responses](#) 

[RSA \(General\) FAQ](#) 

[County Weights and Measures Officials](#)

[Factory RSA Guidance Document](#) 

[2025 Update: EPO No. 52, Electric Vehicle Fueling Systems EPO 52](#) 

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ZEV technology includes hydrogen fuel cell electric vehicles (FCEVs) that use hydrogen gas as motor vehicle fuel and battery electric vehicles (BEVs) that use electricity stored in onboard battery platforms as motor vehicle fuel. The Department of Food and Agriculture (Department), Division of Measurement Standards (DMS) is responsible for overseeing the fuel quality, dispenser accuracy, advertising, and labeling of all motor vehicle fuels sold at retail, including low- and zero-emission alternative fuels. DMS has partnered with several federal, state, and local government agencies and other non-governmental organizations to meet the demands of a changing market and to facilitate California's transformation toward a fully developed ZEV transportation and fueling infrastructure. The California Governor's Office of Business and Economic Development (GO-Biz) - [Zero-Emission Vehicles](#) webpage offers updated information about the progress of state's developing ZEV Infrastructure and provides ZEV Readiness Maps for both hydrogen and electricity as motor vehicle fuel.

> [Hydrogen as Motor Vehicle Fuel](#)



EVSE Educational Resources and Links

DMS will host an **EVSE Info Hour** on **Tuesday, February 24, 2026** from **1:30PM to 2:30PM** on **Microsoft Teams**. The Info Hour will provide updates and will address questions from stakeholders on the legal requirements for EVSE installed for commercial purposes. To submit a request for access to the Teams Link, or to submit a question that you would like addressed, please email DMS@cdfa.ca.gov and include "EVSE Info Hour" in the subject line.

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Importance of the RSA Program

- Allows businesses to use their devices commercially after installation and/or repair, pending official inspection from the county Weights & Measures office.
- Promotes fair competition between agencies.
- Notifies the county Weights & Measures office of newly installed or repaired devices.
- Provides assurance that commercial devices have been installed and/or repaired in accordance with applicable requirements including but not limited to:
 - Type Approval
 - Specifications & Tolerances
 - Manufacturer instructions

Importance of the RSA Program

Registered service agencies and their agents:

- Have specialized technical knowledge about the devices they work on which can help Weights & Measure officials throughout the course of carrying out their duties.
- Have specialized equipment which may expedite official inspections.



What is a Service Agency?

Service Agency

A person, as defined in Section 12011 (person, firm, corporation or association), that for hire, award, commission, or any other payment of any kind, repairs a commercial device.

[BPC § 12531(a)]

Service Agent

A person employed by a service agency to repair a commercial device.

[BPC § 12531(b)]

Requirement to Register

No person shall engage in business as a service agency unless the person is registered by the Secretary of Food and Agriculture.

[BPC § 12532(a)]

Applications for registration shall be in writing on a form prescribed by the department and shall be accompanied by the required fee.

[BPC § 12532(b) & 12535]

Service Agency Registration

A service agency may employ or designate a licensed service agent to act for the service agency and shall be responsible for all acts of that person.

[BPC § 12532(h)]

A service agency shall forward to the department the name or names of service agents employed by them, with the appropriate fees required by Section 12535; within 30 days of hiring by the service agency.

[BPC § 12532(c) & 4 CCR § 4081]

[Also see 4 CCR § 4083 regarding licensing of Service Agents]

Authorities of a Service Agency

- A device may only be placed in service by a sealer or a service agency. [BPC § 12532(d)]
- 4 CCR 4084 - Pursuant to Business and Professions Code Sections 12509 and 12532(d), a service agency may perform any of the following:
 - a) place a correct device into service,
 - b) remove an “out-of-order” notice to perform the service, and must replace the notice if the device can not be corrected, or
 - c) remove an “out-of-order” notice from a corrected device and place it into service.

Service Agency Delegation of Authority

The authorities provided by the BPC and CCR apply to the **service agency**.

The **service agent** operates under the authorities vested in the service agency.

Definitions of Terms

“Placed in service”

To permit the use of a device that has been tested and found to be correct, as defined in subdivision (c) of Section 12500, and type approved, as provided for in Section 12500.5.

[BPC § 12531(d)]

“Correct”

Any weight or measure or weighing, measuring, or counting instrument that meet all of the tolerance and specification requirements established by the secretary pursuant to Section 12107.

[BPC §§ 12500(c) & 12531(e)]

Definitions of Terms

Repair

In any of its variant forms, repair means to provide maintenance, or to install, adjust, recondition, or service a device.

[BPC § 12531(f)]

Commercial Device

A device used or designed to be used, for determining weight or measure, and includes any tool, appliance, or accessory used in connection therewith, that is used for commercial purposes, as defined in subdivision (e) of Section 12500.

[BPC §§ 12500(e) & 12531(c)]



Requirement to Possess/Access Standards

Prior to the issuance of its registration or in order to maintain its current registration, a service agency shall do all of the following:

- 1) Possess, or have available for use, standards and testing equipment necessary to meet the minimum testing requirements contained in the “Notes” section of the specific device regulation.

[BPC § 12533(a)(1)]

- 2) When applicable, the standards and testing equipment shall meet the specifications and tolerances published in the most current National Institute of Standards and Technology 105 Series Handbooks.

[BPC § 12533(a)(2) & 4 CCR § 4086]

Requirement to use Standards

A service agency shall use suitable and sufficient standards that are permanently and uniquely identified, and have a current certificate of accuracy provided by the department or by a laboratory certified pursuant to Section 12314, in the determination of a correct device.

[BPC § 12534 & 4 CCR § 4085(a)(5)]

Responsibilities of a Service Agency

Each service agency shall place into service, upon installation or following repair, a device in such a manner that it meets all the requirements of Division 5 of the California Business and Professions Code and all the requirements of the California Code of Regulations, Title 4, Division 9. Weighing or measuring devices which are not “correct”, as defined by Section 12500(c) of the Business and Professions Code, shall not be placed into service.

[4 CCR § 4085(a)(1)]

Responsibilities of a Service Agency

Each service agency shall notify the county sealer of the repairing or placing in service of any device. The notice shall be in writing, and transmitted to the county sealer within the 24-hour period following the repair, except as provided by Business and Professions Code Section 12515(b).

[4 CCR § 4085(a)(2) – this section also identifies all information required to be included in the notification]

Responsibilities of a Service Agency

Service agents shall replace a security seal on any adjustment mechanism where the seal was required to be removed for service, repair, or installation.

Before placing a device into service, service agents shall install a security seal on any adjustment mechanism designed to be sealed.

[4 CCR § 4085(a)(3)]

Responsibilities of a Service Agency

Service agents shall identify their work on each device by applying an adhesive tag or label in a conspicuous location on the device.

The adhesive tag or label shall show the name, registration number and business telephone number of the service agency, the license number of the service agent performing the work, and the date.

Any security seal required pursuant to Section 12107 of the California Business and Professions Code shall show the registration number of the service agency and the year the security seal was placed on the device.

[4 CCR § 4085(a)(4)]

Responsibilities of a Service Agency

A service agency shall, on request from a sealer, show a copy of the certification of accuracy for the standards used to place a device into service.

[4 CCR § 4085(a)(5)]

EVSE RSA FAQ

<https://www.cdfa.ca.gov/dms/programs/rsa/rsa.html>



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- > Consumers
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Meetings

carbon, petroleum-based fuels. Transforming California's transportation and fueling infrastructure towards zero-emission vehicles (ZEVs) is a key part of the state's strategy to decrease GHG emissions, improve air quality, leverage renewable energy sources, and reduce petroleum consumption.

ZEV technology includes hydrogen fuel cell electric vehicles (FCEVs) that use hydrogen gas as motor vehicle fuel and battery electric vehicles (BEVs) that use electricity stored in onboard battery platforms as motor vehicle fuel. The Department of Food and Agriculture (Department), Division of Measurement Standards (DMS) is responsible for overseeing the fuel quality, dispenser accuracy, advertising, and labeling of all motor vehicle fuels sold at retail, including low- and zero-emission alternative fuels. DMS has partnered with several federal, state, and local government agencies and other non-governmental organizations to meet the demands of a changing market and to facilitate California's transformation toward a fully developed ZEV transportation and fueling infrastructure. The California Governor's Office of Business and Economic Development (GO-Biz) - [Zero-Emission Vehicles](#) webpage offers updated information about the progress of state's developing ZEV Infrastructure and provides ZEV Readiness Maps for both hydrogen and electricity as motor vehicle fuel.



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Who must be a registered service agency (RSA)?

- A service agency is defined by BPC Section 12531(a).
 - A person performing the work of a service agency is required to be registered with CDFA-DMS in accordance with BPC Section 12532 and submit applicable registration fees in accordance with BPC Section 12535.
-

Who must be a licensed service agent?

- A service agent is defined by BPC Section 12531(b).
- A service agent is required to pay applicable license examination fees and pass the examination before being employed by a service agent.

How do I register?

The CDFA-DMS RSA Homepage provides a link to the online RSA Portal that enables service agencies and service agents to apply for a registration or license, respectively.

While applying online is the preferred method of becoming registered and licensed, a service agency applicant may fill out an RSA Registration application, by hand or electronically, and submit it by mail or email to:

California Department of Food and Agriculture
Division of Measurement Standards
6790 Florin Perkins Road, Suite 100 Sacramento, CA 95828
Email: dms@cdfa.ca.gov

<https://www.cdfa.ca.gov/dms/programs/rsa/rsa.html>

What testing equipment is needed to be an EVFS/EVSE RSA?

- The field test standard must be able to measure AC and/or DC electrical power, as applicable, from the EVFS/EVSE at the vehicle connector plug.
 - The test standard's calibrated measurement of electrical energy must be traceable to NIST or an International Organization for Standardization 17025 (ISO 17025) accredited laboratory with electrical energy measurement (AC and DC) on its scope.
 - The service agent must ensure that the field standard is appropriate for use with the EVFS/EVSE under test.
-

Can an individual or business be an RSA if they do not have the appropriate testing equipment?

- In accordance with BPC Section 12533, an RSA shall possess, or have available for use, standards and testing equipment necessary to meet the minimum testing requirements contained in the "Notes" paragraphs of the specific device regulation adopted in CCR Title 4 Division 9 for each type of device the service agency repairs and tests.

Where can I find the specifications and tolerances that apply to EVFS/EVSE used for commercial purposes?

- California adopts the latest standards as recommended by the National Council on Weights and Measures (NCWM) and published in the National Institute of Standards and Technology Handbook 44 (NIST HB 44) “Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices,” except as specifically modified, amended, or rejected by regulation adopted by the secretary.
- For EVFS/EVSE, NIST HB 44, Sections 1.10. General Code, 3.40. Electric Vehicle Fueling Systems Code and 5.55. Timing Device Code are applicable.
- The specifications and tolerances applicable to EVFS/EVSE used for commercial purposes are adopted in CCR Sections 4000, 4001, and 4002.11.
- These references can also be found in the Electronic Field Reference Manual (e-FRM).

<https://www.cdfa.ca.gov/dms/publications.html>

What tests are required of EVFS?

Test requirements specific to EVFS/EVSE are published in Examination Procedures Outline (EPO) 52 - Electric Vehicle Fueling Systems.

EPO 52 includes step-by-step instructions to verify that the device has type approval and meets all applicable specifications, tolerances, and other technical requirements.

Accuracy test conditions include, but are not limited to:

a) Determining the Maximum Deliverable Amperage (MDA) of the device being tested;

And

b) Testing the device at loads specified in the “N. Notes” section of NIST HB 44, Section 3.40. Electric Vehicle Fueling Systems Code.

Who has the authority to place an EVFS/EVSE in service for commercial purposes?

In accordance with BPC Section 12532 (d), only a state/county official (sealer) or an RSA has the authority to place an EVFS/EVSE in service for commercial purposes.

Can the EVSP be the only RSA if the devices being placed into service are tested by them before installation, even if the EVSP is not present at the physical location?

No. Only an RSA or state/county official has the authority to place in service an EVFS/EVSE for commercial purposes. Placed in service requirements include verifying that the device meets all requirements, including user requirements, which must be verified at the point of installation.
[Code Reference: BPC Section 12532 (d)]

Are there any reporting requirements associated with placing commercial devices in service?

Yes. In accordance with CCR Section 4085, each service agency shall notify the county sealer of the repairing or placing in service of any device being used for commercial purposes. The notice shall be in writing, and transmitted to the county sealer within the 24-hour period following the repair, except as provided by BPC Section 12515 (b).

What does a Placed in Service Report look like?

CDFA-DMS provides an example of a Placed in Service Report template on the RSA Homepage. Although it is not required to use this template, any notice sent to a county office of weights and measures shall contain all provisions of BPC Section 4085 (a)(2).

What are the consequences of placing a device in service for commercial purposes that doesn't meet the definition of "correct"?

An RSA who places a device in service that does not meet all applicable requirements may result in enforcement actions against the RSA license, which could include notice of violation, notice of proposed action, suspension or revocation. In accordance with BPC Section 12510 (a)(10), placing an "incorrect" device in service is a misdemeanor.

May an RSA install a non-type-approved EVFS/EVSE to be used for commercial purposes if it has a temporary use permit?

Yes. If the EVFS/EVSE is undergoing type evaluation and has been issued a temporary use permit by CDFA-DMS, it may be installed and used for commercial purposes. Once type approval is complete and a device is fully certified; all devices of that type must meet the requirements as indicated on the NCWM National Type Evaluation Program, Certificate of Conformance (NTEP CC) or California Type Evaluation Program, Certificate of Approval (CTEP COA).

NOTE: Temporary Use Permits are only issued under certain circumstances – they are **NOT** part of a typical type evaluation process.

Does software need to be verified when placing an EVSE/EVFS in service?

- Yes. As stated in BPC Section 12500 (a) and (b), computer software written to connect into, or receive output from, a commercial measurement system or device is considered “an accessory used or connected therewith.”
 - It includes, but is not limited to controller software, other metrological software, and computer software based on payment source integrated in a weighing or measuring system.
 - Software versions and functionality must be verified by an RSA at the time of the device being placed in service.
-

Does continuous indication mean both kWh and price?

Yes. Continuous indication means that both dispensed kWh and price are displayed as per NIST HB 44, Section 3.40., Section S.1.2. EVFS Indicating Elements.

Does multi-tiered pricing need to be tested when placing an EVFS/EVSE in service?

Yes. Multi-tiered pricing is allowed and can be tested and certified if the device is capable of this feature. However, the device will be required to display all prices that may be applicable during a charging/fueling session before the customer activates the EVFS for a charging session.

Is there a link to the county offices of weights and measures?

Yes. County offices of weights and measures can be found at:

<http://www.cdfa.ca.gov/exec/county/countymap/>

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Thank you, NCWM!

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For more information about our programs, please visit:
<https://www.cdfa.ca.gov/dms>