State of California
Office of Administrative Law

In re:
Department of Food and Agriculture

Regulatory Action:
Title 04, California Code of Regulations
Adopt section: 4002.11
Amend section: 4001

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2019-1101-01

OAL Matter Type: Regular (S)

Pursuant to Business and Professions Code section 12107, section 4000 in Title 4 of the California Code of Regulations states, "Commercial weighing and measuring devices shall, except where [otherwise noted], conform to the latest requirements set forth in the National Institute of Standards and Technology Handbook 44 'Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices' [("Handbook 44")]' and to other additional requirements. In this regular rulemaking, the Department of Food and Agriculture is amending and repealing requirements in Handbook 44 for their application in California.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2020.

Date: December 17, 2019

Original: Karen Ross, Secretary
Copy: Samuel Ferris

For: Kenneth J. Pogue

Attorney
Director
### A. PUBLICATION OF NOTICE

**SUBJECT OF NOTICE:**
Electric Vehicle Fueling Systems

**TITLE(S):**
- 4001
- 4002.11
- 11346.1

**FIRST SECTION AFFECTED:**
- 4001

**REQUESTED PUBLICATION DATE:**
November 2, 2018

**NOTICE REASON:**
Proposed Regulatory Action

**CONTACT PERSON:**
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**OAL USE:**
Action on Proposed Notice

**OAL ACTION ON PROPOSED NOTICE:**
- Approved as Submitted
- Approved as Modified
- Disapproved/Withdrawn

**NOTICE REGISTER NUMBER:**
2018, 44-2

### B. SUBMISSION OF REGULATIONS

**SUBJECT OF REGULATIONS:**
Electric Vehicle Fueling Systems

**SECTION(S) AFFECTED:**
- 4002.11
- 4001

**TYPE OF FILING:**
- Regular Rulemaking (Gov. Code §11346)
- Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11346.3, 11346.4)
- Emergency (Gov. Code, §11346.1)

**DATE:**
Dec 17, 2019

**SIGNATURE:**
Kevin Masuhara, Deputy Secretary

**DATE:**
10/30/19
§ 4001. Exceptions.

The following regulations in Handbook 44 are not adopted or incorporated by reference:

1.10. General Code.

G-S.1.2. Remanufactured Devices and Remanufactured Main Elements.


(b) equipment that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time;

(c) equipment that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service;

(d) equipment that is being officially tested for the first time within 30 days after major reconditioning or overhaul;

2.20. Scales.

S.1.8.4. Customer's Indications.

N.3. Minimum Test Weights and Test Loads*.

UR.2.6.1 Vehicle Scales.

UR.3.7. Minimum Load on a Vehicle Scale.


UR.2.2. Ticket Printer; Customer Ticket.


A.4. Type Evaluation.

S.1.3.2. EVSE Value of Smallest Unit.

S.2.4.1. Unit Price.

S.2.4.2. Equipment Capacity and Type of Voltage.

S.2.7. Indication of Delivery.

S.3.5. Temperature Range for System Components.

S.5.2. EVSE Identification and Marking Requirements.

N.2. Starting Load Test.

T.2. Load Test Tolerances.

T.2.1. EVSE Load Test Tolerances.

Appendix D. Definitions for:

Diesel Gallon Equivalent (DGE).

Electricity as Vehicle Fuel.

Gasoline Gallon Equivalent (GGE).

Remanufactured Device.

Repaired Device.

Remanufactured Element.

Repaired Element.

Program (CTEP) Certificate of Approval (COA), conspicuously, legibly, and indelibly marked on the EVSE, and installations shall be limited to the narrower temperature limits.

**S.5.2. EVSE Identification and Marking Requirements.** – In addition to all the marking requirements of Section 1.10, General Code, paragraph G-S.1. Identification, each EVSE shall have the following information conspicuously, legibly, and indelibly marked:

(a) voltage rating;

(b) maximum current deliverable;

(c) type of current (AC or DC or, if capable of both, both shall be listed);

(d) minimum measured quantity (MMQ); and

(e) temperature limits, if narrower than and within – 40 °C to + 85 °C (−40 °F to 185 °F).

**N.2. Starting Load Test.** – A system starting load test may be conducted by applying rated voltage and 0.5-ampere load.

**T.2. Load Test Tolerances.** – The tolerances for EVSE load tests shall be as shown in Table T.2. Accuracy Classes and Tolerances for EVSE.