

Registered Service Agency (RSA) Advisory Committee
Recommended Changes to the
California Code of Regulations (CCR) as it Relates to
2023 National Institute of Standards and Technology (NIST)
Handbook 130, Section IV., Section D.
Submitted to CDFA-DMS

Updated: 12/27/2023

(Committee recommendations are in bold italic font in parenthesis following each section)

Table of Contents

NIST Handbook 130, <i>Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel Quality</i> (2023 Edition Full Document PDF).....	3
Purpose.....	3
Section II. Uniformity of Laws and Regulations, Section C. Summary of State Laws and Regulations in Weights and Measures.....	4
States that Do/Do Not adopt RSA Laws or Regulations.....	4
Section IV. Uniform Regulations, Section D. Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices (a.k.a. – the “RSA Code”)	5
Section 1. Policy.....	5
Section 2. Definitions	6
Section 3. Registration Fee	7
Section 4. Voluntary Registration	7
Section 5. Minimum Equipment.....	8
Section 6. Certificate of Registration	8

Section 7. Privileges and Responsibilities of a Voluntary Registrant..... 9

Section 8. Placed in Service Report..... 9

Section 9. Examination and Calibration or Certification of Standards and Testing
Equipment 10

Section 10. Revocation of Certificate of Registration 10

Section 11. Publication of Lists of Registered Servicepersons and Registered
Service Agencies 11

Section 12. Effective Date 11

NIST Handbook 130, *Uniform Laws and Regulations in the
Areas of Legal Metrology and Fuel Quality*
([2023 Edition Full Document PDF](#))

Purpose

The purpose of this document is NOT to recommend changes to the National Institute of Standards and Technology (NIST) Handbook 130, *Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel Quality*. The National Conference on Weights and Measures (NCWM) already has a process in place for members to recommend changes to the handbooks.

The purposes of this document are to:

1. Note which states do or do not adopt law and regulation in some fashion for Registered Service Agencies (RSAs) and service agents, and
2. Compare the RSA requirements in NIST Handbook 130 with those in the California Code of Regulations (CCR) adopted in ([4 CCR 4080-4088](#)) and recommend changes needed to California's RSA regulation based on review of NIST Handbook 130.

Using this document, the Committee would reference the section number of CCR that best applies to the change(s) recommended and provide detail of the recommended language to be changed. If after reviewing NIST Handbook 130, no changes are recommended, the Committee may vote to retain California's regulation for RSA as adopted.

Section II. Uniformity of Laws and Regulations, Section C. Summary of State Laws and Regulations in Weights and Measures

States that Do/Do Not adopt RSA Laws or Regulations

[NIST Handbook 130, Section II., Section C. Summary of State Laws and Regulations in Weights and Measures](#) lists U.S. states or territories that do or do not adopt various sections of NIST Handbooks including NIST Handbook 130, Section IV., Section D. (for purposes of this document this section is referred to as the “RSA Code”).

See the [NIST Handbook 130, summary chart](#) on page 9 for details.

Roll-up Summary:

- There are 53 U.S. states or territories in the NCWM included on this chart.
- In one fashion or another, 45 of 53 U.S. states or territories adopt laws or regulations regarding RSAs. Of these:
 - 5 states or territories adopt and update the “RSA Code” on an annual basis – “YES”
 - 25 states or territories have laws or regulations in place based on the “RSA Code” but adopted from a prior year – “yes”
 - 15 states or territories, including California, have laws or regulations in place, not based on the “RSA Code” – “yes*”
 - 8 states or territories have no laws or regulations in place regarding RSAs – “NO”

Section IV. Uniform Regulations, Section D. Uniform Regulation for the
Voluntary Registration of Servicepersons and Service Agencies for
Commercial Weighing and Measuring Devices
(a.k.a. – the “RSA Code”)

NIST Handbook 130, Section IV., Section D. (for purposes of this document, this section is referred to as the – Registered Service Agency (RSA) Code or “RSA Code.” [\(2023 Edition PDF\)](#))

Section 1. Policy

For the benefit of the users, manufacturers, and distributors of commercial weighing and measuring devices, it shall be the policy of the Director of Weights and Measures, hereinafter referred to as “Director,” to accept registration of (a) an individual and (b) an agency providing acceptable evidence that he, she, or it is fully qualified by training or experience to install, service, repair, or recondition a commercial weighing or measuring device; has a thorough working knowledge of all appropriate weights and measures laws, orders, rules, and regulations; and has possession of, or has available for use, and will use suitable and calibrated weights and measures field standards and testing equipment appropriate in design and adequate in amount. (An employee of the government shall not be eligible for registration.)

The Director will check the qualifications of each applicant. It will be necessary for an applicant to have available sufficient field standards and equipment (see Section 5, Minimum Equipment). It shall also be the policy of the Department to issue a “Certificate of Registration” to qualified applicants whose applications for registration are approved. This Certificate grants authority to remove rejection seals and tags placed on Commercial and Law Enforcement Weighing and Measuring Devices by authorized weights and measures officials, to place in service repaired devices that were rejected, and to place in service devices that have been newly installed.

The Director is NOT guaranteeing the work or fair dealing of a Registered Serviceperson or Service Agency. The Director will, however, remove from the

registration list any Registered Serviceperson or Service Agency that performs unsatisfactory work or takes unfair advantage of a device owner.

Registration with the Director shall be on a voluntary basis. The Director shall reserve the right to limit or reject the application of any Serviceperson or Service Agency and to revoke his, her, or its permit to remove rejection seals or tags for good cause.

This policy shall in no way preclude or limit the right and privilege of any individual or agency not registered with the Director to install, service, repair, or recondition a commercial weighing or measuring device (see Section 7, Privileges and Responsibilities of a Voluntary Registrant).

(Added 1966) (Amended 1984 and 2005)

(No action taken 12/13/2023)

Section 2. Definitions

2.1. Registered Serviceperson. – Any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device, and who voluntarily registers with the Director of Weights and Measures.

(Added 1966)

2.2. Registered Service Agency. – Any agency, firm, company, or corporation that for hire, award, commission, or any other payment of any kind installs, services, repairs, or reconditions a commercial weighing or measuring device, and that voluntarily registers with the Director of Weights and Measures. Under agency registration, identification of individual servicepersons shall be required.

(Added 1966)(Amended 1984)

2.3. Commercial and Law Enforcement Weighing and Measuring Devices. – Any weight or measure or weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure. It shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects the accuracy of the device. It also includes weighing and measuring equipment in official use for the enforcement of law or for the collection of statistical information by government agencies.

(Added 1966) (Amended 1984)

(Retain current CCR 12/13/2023)

Section 3. Registration Fee

There shall be charged by the Director an annual fee of \$_____ per Registered Serviceperson and _____ per Registered Service Agency to cover costs at the time application for registration is made, and annually, thereafter.

(Added 1966) (Amended 1984)

(Retain current CCR 12/13/2023)

Section 4. Voluntary Registration

An individual or agency qualified by training or experience may apply for registration to service weighing devices or measuring devices on an application form supplied by the Director. Said form, duly signed and witnessed, shall include certification by the applicant that the individual or agency is fully qualified to install, service, repair, or recondition whatever devices for the service of which competence is being registered; has in possession or available for use, and will use, all necessary testing equipment and standards; and has full knowledge of all appropriate weights and measures laws,

orders, rules, and regulations. An applicant also shall submit appropriate evidence or references as to qualifications. Application for registration shall be voluntary, but the Director is authorized to reject or limit any application.

(Added 1966) (Amended 1984)

(Retain current CCR 12/13/2023)

Section 5. Minimum Equipment

Applicants must have available sufficient standards and equipment to adequately test devices as set forth in the Notes section of each applicable code in NIST Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices." This equipment will meet the specifications of NIST 105-series standards (or other suitable and designated standards). This section shall not preclude the use of additional field standards and/or equipment, as approved by the Director, for uniform evaluation of device performance (see Section 9, Examination and Calibration or Certification of Standards and Testing Equipment).

(Added 1984) (Amended 2005)

(Retain current CCR 12/13/2023)

Section 6. Certificate of Registration

The Director will review and check the qualifications of each applicant. The Director shall issue to the applicant a "Certificate of Registration," including an assigned registration number if it is determined that the applicant is qualified. The "Certificate of Registration" will expire 1 year from the date of issuance.

(Added 1966) (Amended 1984)

(No action taken 12/13/2023)

Section 7. Privileges and Responsibilities of a Voluntary Registrant

A bearer of a Certificate of Registration shall have the authority to remove an official rejection tag or mark placed on a weighing or measuring device by the authority of the Director; place in service, until such time as an official examination can be made, a weighing or measuring device that has been officially rejected; and place in service, until such time as an official examination can be made, a new or used weighing or measuring device. The registered serviceperson or service agency is responsible for installing, repairing, and adjusting devices such that the devices are adjusted as closely as practicable to zero error.

(Added 1966) (Amended 1984)

(No action taken 12/13/2023)

Section 8. Placed in Service Report

The Director shall furnish each registered serviceperson and registered service agency with a supply of report forms to be known as "Placed in Service Reports." Such a form shall be executed in triplicate, shall include the assigned registration number, and shall be signed by a registered serviceperson or by a serviceperson representing a registered agency for each rejected device restored to service and for each newly installed device placed in service. Within 24 hours after a device is restored to service or placed in service, the original of the properly executed Placed in Service Report, together with any official rejection tag removed from the device, shall be forwarded to the Director at _____(address). The duplicate copy of the report shall be handed to the owner or operator of the device, and the triplicate copy of the report shall be retained by the Registered Serviceperson or Registered Service Agency.

(Added 1966) (Amended 2005)

(No action taken 12/13/2023)

Section 9. Examination and Calibration or Certification of Standards and Testing Equipment

All field standards that are used for servicing and testing weights and measures devices for which competence is registered shall be submitted to the Director for initial and subsequent verification and calibration at intervals determined by the Director. A registered serviceperson or registered service agency shall not use in servicing commercial weighing or measuring devices any field standards or testing equipment that have not been calibrated or verified by the Director. In lieu of submission of physical standards, the Director may accept calibration and/or verification reports from any laboratory that is formally accredited or recognized. The Director shall maintain a list of organizations from which the state will accept calibration reports. The state shall retain the right to periodically monitor calibration results and/or to verify field standard compliance to specifications and tolerances when field standards are initially placed into service or at any intermediate point between calibrations.

(Added 1966) (Amended 1984, 1999, and 2005)

(No action taken 12/13/2023)

Section 10. Revocation of Certificate of Registration

The Director is authorized to suspend or revoke a Certificate of Registration for good cause which shall include, but not be limited to: taking of unfair advantage of an owner of a device; failure to have test equipment or standards certified; failure to use adequate testing equipment; or failure to adjust commercial or law enforcement devices to comply with Handbook 44 subsequent to service or repair.

(Added 1966) (Amended 1984)

(No action taken 12/13/2023)

Section 11. Publication of Lists of Registered Servicepersons and Registered Service Agencies

The Director shall publish, from time to time as deemed appropriate, and may supply upon request, lists of Registered Servicepersons and Registered Service Agencies.

(Added 1966)

(Request DMS to evaluate the list of service agents not associated with a service agency 12/13/2023)

Section 12. Effective Date

This regulation shall become effective on _____.

(Added 1966)

(No action taken 12/13/2023)