

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
DIVISION OF MEASUREMENT STANDARDS (DMS)
REGISTERED SERVICE AGENCY (RSA) ADVISORY COMMITTEE
CONFERENCE MEETING**

**April 25, 2024
9:00 a.m. – 12:00 p.m.**

MEETING MINUTES

**Minutes are considered DRAFT until approved
by the RSA Advisory Committee**

A. CALL TO ORDER

Lucian Stacy, Committee Chair, called the meeting to order at 9:03 a.m. The meeting was held both in-person and remotely using Zoom.

B. ROLL CALL OF MEMBERS

Membership attendance is reported below. Lucian Stacy established that there was a quorum of committee members in attendance remotely and in-person.

Committee Members Present (In-person):

Lucian Stacy

Committee Members Present (Zoom):

Lynn Carmichael
Chris Gate
Joseph Lundeen
Breanne Matsuura

Committee Members Absent:

Lucian Stacy noted that two member positions remain vacant (a Customer/Client of an RSA and a member of the public).

CDFA-DMS:

Kevin Schnepf and Samuel Ferris

Other Participants:

None identified.

Presenter(s):

Samuel Ferris, CDFA-DMS
Lucian Stacy, Committee Chair

C. APPROVAL OF PRIOR MEETING MINUTES

Lucian Stacy asked the committee if there were any comments or edits regarding the minutes of the meeting held on December 13, 2023. No comments were made.

Motion/Vote: To approve the meeting minutes of December 13, 2023, with no additional edits.

Name	Vote	Comment
Lynn Carmichael	Yea	
Chris Gate	Yea	Second
Joseph Lundeen	Yea	
Breanne Matsuura	Yea	Motion
Lucian Stacy	Yea	

D. REPORTS AND INFORMATION (Informational)

1. DMS Updates. (*Samuel Ferris*)

- a. Personnel Changes at DMS: Kristin Macey and Clark Cooney retired in late-December. Kevin Schnepf was hired as the Director of the Division of Measurement Standards.
- b. RSA Advisory Committee Vacancy – There are two vacant positions on the committee. One for a client/customer of an RSA and the second represents the public. On February 1, 2024, DMS posted a [Press Release](#) advertising the two vacancies and instructed interested individuals to contact DMS at (916) 229-3000 or dms@cdfa.ca.gov for more information.
- c. Farm Milk Tank Survey – On December 5, 2023, DMS sent the Farm Milk Tank Survey to each county office of weights and measures. Responses were due Friday, December 15, 2023. Results will be presented later in this meeting.
- d. Committee recommendation papers and prior year’s work – Three surveys and three recommendation papers were published in 2023 on the DMS Meetings webpage at: <https://www.cdfa.ca.gov/dms/meetings.html>. The committee also formed a working group to research the RSA Service Agent Examination process. This working group is currently active and will provide an update during this meeting.

2. RSA Advisory Committee Updates (*Lucian Stacy*) – Lucian Stacy reported that the RSA industry is consolidating as RSA businesses and venture capital groups acquire other RSAs on a national level and in California. He knows of this happening specifically in the weighing devices (scales) industry. Michelli was purchased by a firm in South Carolina who is looking to purchase other RSAs in California. Kanawha Scales, on the East Coast, was acquired by a venture capital firm as well. Lucian Stacy stated that his company, Left Coast Scales, and Quality Scales Unlimited are also acquiring smaller RSAs. He feels this consolidation brings more money into the industry and improves the quality of service. Lucian Stacy wants to know whether these large firms need to report all their new business locations to CDFA-DMS. He claimed the regulation is not clear on the requirement to report

secondary locations. Lynn Carmichael said that Hobart Corporation has multiple offices in California, and he would need to find out how it reports its locations. Breanne Matsuura commented that when a potential client of an RSA calls asking for a local RSA referral, she provides them with the entire list of RSAs. She said one benefit of having all locations registered is to be included in that list of RSAs.

Joseph Lundeen referenced the Business and Professions Code Section 12535 (a) that establishes separate fees for a primary maintenance location and additional maintenance locations. Lucian Stacy claimed that the regulation (statute) is not clear as to what a maintenance location is, and that code does not require to report additional maintenance locations.

E. OLD BUSINESS (Discussion/Action by Committee)

1. Update of the RSA Advisory Committee Work Group on Service Agent Examinations process (*Samuel Ferris*)

Samuel Ferris shared that the Work Group met on April 24, 2024. The Work Group identified all aspects of the RSA service agent examination process and drafted a list of topics to address. The Work Group will meet again in mid-May to develop recommendations for each topic of concern and report its progress during the next regular meeting.

No action was taken by the committee.

2. Farm Milk Tank Survey Results. (*Samuel Ferris*) – Samuel Ferris shared the results of the Farm Milk Tank Survey with the committee. There were 34 of 55 jurisdictions that participated. These results are posted on [CDFA-DMS' Meetings](#) webpage. This survey was developed to inform the committee of the current use of farm milk tanks on commercial dairies in California, and to determine if modifications are recommended to the requirements in the California Code of Regulations (CCR) Section 4002.7. Farm Milk Tanks. (4.42.). The requirements in this section are in addition to the requirements published in the National Institute of Standards and Technology (NIST) Handbook 44, Section 4.42. Farm Milk Tanks.

Lucian Stacy and Joseph Lundeen did not feel that modifications to regulation are needed.

Motion/Vote: To retain CCR Section 4002.7.

Name	Vote	Comment
Lynn Carmichael	Yea	
Chris Gate	Yea	Second
Joseph Lundeen	Yea	Motion
Breanne Matsuura	Yea	
Lucian Stacy	Yea	

F. NEW BUSINESS

1. Assembly Bill (AB) 2453 – This bill impacts the Electric Vehicle Supply Equipment (EVSE) industry and the RSAs that install and test EVSE. Kevin Schnepf reported that this bill has been simplified from its original version because it met significant resistance from CDFA-DMS' bill analysis and from members of the California Agricultural Commissioners and Sealers Association (CACASA). Supporters of this bill feel there is a limited number of RSAs with adequate EVSE test equipment to support the rapid growth of the EVSE industry.

Kevin Schnepf explained that there is no data to support the proposed definition in Section 12509.5 (a) (2). There is concern that the authors of the bill do not understand what "correct" entails and that most repairs will affect the correctness of the device. This includes any modifications to the device that are not part of its type approval certificate. Kevin Schnepf was concerned about the reasoning of Section 12509.5 (b) that says a device does not need to be tested again after routine repairs are made. He was also concerned about the lack of reasoning of the proposed 2028 repeal date in Section 12509.5 (c). Kevin Schnepf encouraged members of the committee to submit letters to the bill's author if any sections of the bill are of concern or if they have a position opposing any sections of this bill.

Joseph Lundeen said he and his management, San Bernardino County, have an issue with this bill as it would remove accountability from manufacturers of EVSE. He disagrees with the proposed definition of Section 12509 (a) (2) because it is contradictory to current statute and it only applies to EVSE. No other devices have this exception. He feels it should be removed or reworded to provide more detail. Joseph Lundeen does not agree with the language in Section 12509.5 (b) because if the county he works for receives a complaint, an inspector will go test that device. Lucian Stacy added to Joseph's comment saying how would a county know what was done to that device when there is no placed in service report explaining the prior repairs. Kevin Schnepf added that from a technical perspective, changing a 5-meter charging cable to a 7-meter charging cable would affect the metrology of the device, due to distributed losses, and therefore the correctness of it. Lynn Carmichael recommended that the committee (as a whole) oppose this bill (rather than individual members) and that the bill would need to agree with current regulations.

Lucian Stacy said that he wants this bill to be applied to all devices so that RSAs don't need to report any repairs. Samuel Ferris commented that if there is a bottle neck due to limited numbers of RSAs to repair EVSE, then this bill would worsen the bottle neck effect and further decrease the need for RSAs in the EVSE industry. He also explained that EVSE delivers electricity to a vehicle as a motor vehicle fuel. EVSE manufacturers compete amongst themselves for market share but also compete directly against all other liquid and gaseous motor vehicle fuels in the larger fueling marketplace. This bill creates unfair competition in the larger fueling industry because this bill only applies to EVSE, not other motor vehicle fueling devices.

The committee continued to discuss how to draft and submit a position letter. After general discussion of logistics, Lynn Carmichael made a motion to draft an opposition letter from the RSA Advisory Committee and send it to the author of the bill and to CDFA.

Motion/Vote: To oppose the language of this bill and submit a letter to the author and CDFA.

Name	Vote	Comment
Lynn Carmichael	Yea	Motion
Chris Gate	Yea	
Joseph Lundeen	Yea	Second
Breanne Matsuura	Yea	
Lucian Stacy	Yea	

G. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No comments were made.

H. NEXT MEET AGENDA

Lucian Stacy requested an update from the Work Group on RSA service agent examination procedures during the next meeting.

Breanne Matsuura thinks there may be need to look at one or more device requirements in regulation as there may be similar (mirrored) requirements currently published in NIST Handbook 44. She will submit the code references at a later date but prior to the next regulation meeting.

I. ADJOURNMENT

1. Lucian Stacy asked to adjourn this meeting.

Motion/Vote: To adjourn the meeting at 10:12 a.m.

Name	Vote	Comment
Lynn Carmichael	Yea	Motion
Chris Gate	Yea	
Joseph Lundeen	Yea	Second
Breanne Matsuura	Yea	
Lucian Stacy	Yea	

Respectfully submitted:

Committee Chair, Lucian Stacy
 CDFA-DMS RSA Advisory Committee Chairman