

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

**July 23, 2024
1:00 p.m. – 2:20 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 1:06 p.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 attending remotely.

Committee Members Present (In-person):

None

Committee Members Present (Zoom):

Lynn Carmichael
Chris Gate
Joseph Lundeen
Breanne Matsuura
Lucian Stacy

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, Matthew Douglas, Tarandeep Singh, and
Samuel Ferris

Other Participants:

None identified.

Presenter(s):

Samuel Ferris, CDFA-DMS

Matthew Douglas, 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 April 25, 2024. No comments were made.

Motion/Vote: To approve the meeting minutes of April 25, 2024, with no additional edits.

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

D. REPORTS AND INFORMATION (Informational)

1. DMS Updates. (*Matthew Douglas and Samuel Ferris*)

- a. Weighing In Motion Tentative Code Proposal (*Samuel Ferris*). The New York Department of Transportation (NY DOT) presented an agenda item (WIM-23.1) to the National Conference on Weights and Measures (NCWM). This item did not pass during the NCWM meeting in July 2024 and was not reassigned to a committee.
- b. NCWM Name Change (*Samuel Ferris*). NCWM voted to change its formal name to the National Council on Weights and Measures (NCWM). This item passed during the NCWM meeting in July 2024.
- c. Committee Letter Opposing Assembly Bill (AB) 2453 (*Samuel Ferris*). Last month the Committee voted to submit a letter of opposition to the California Legislature and author of the bill, Assemblymember Villapudua. Among other things, this letter resulted in the author making major edits to the bill to accommodate all or most of the committee's and other interested stakeholders' concerns.
- d. Status of Electric Vehicle Fueling Systems (EVFS) in California (*Matthew Douglas*). Also known as electric vehicle supply equipment (EVSE) or electric vehicle chargers, these devices are used for commercial purposes to measure electricity delivered to an electric vehicle primarily for purposes of propulsion. CDFA has five EVFS test standards and equipment that may be used by state and county officials to inspect and test regulated EVFS in each county. CDFA conducts trainings at county offices of weights and measures and in the field to assist county officials with properly testing EVFS. There is occasional downtime for an EVFS test standard as it requires periodic software updates. Some counties are in the process of acquiring their own test standards, are collecting information on regulated EVFS, and tracking compliance, while many other counties are not testing these devices. Joseph Lundeen commented that San Bernardino County has two EVFS test standards, used for both alternating current (AC) and direct current (DC) EVFS. He also

mentioned that EVFS installed in his county are not always manufactured in compliance with the original make and model of EVFS that was submitted to the California Type Evaluation Program (CTEP) and received a Certificate of Approval (COA). He feels that this is true elsewhere in the state. His staff informs the manufacturer and owner of the device that the installed EVFS is an unapproved device because it does not match the CTEP COA.

2. RSA Advisory Committee Chair Updates (*Lucian Stacy*) – Lucian Stacy reported that the RSA Advisory Committee Work Group for Service Agent Examinations has finalized its recommendations to improve the service agent examination process.

E. OLD BUSINESS (Discussion/Action by Committee)

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

Samuel Ferris shared that the Work Group met on July 9, 2024. The Work Group identified all aspects of the RSA service agent examination process and drafted a list of topics to address. Lucian Stacy read aloud the Work Group's final recommendations to the committee.

No action was taken by the committee. The committee requested CDFA-DMS to post this document to its website and revisit this item at the next meeting.

2. Review DMS Form "Administration of Service Agent Examination" (rev. 8/00). Lucian Stacy read aloud parts of the form and commented that the current examination process does not follow the requirements of this form. This form is adopted in regulation so it would need to be modified or repealed through rulemaking.

No action was taken by the committee. The committee requested CDFA-DMS to post this document to its website and revisit this item at the next meeting.

3. Update on Assembly Bill (AB) 2453. Samuel Ferris showed the committee the major edits to this bill, explained its status in the Assembly, and again commended the committee on its rapid response to this proposed legislation.

No action was taken by the committee.

F. NEW BUSINESS

1. Review/Revisit 4 CCR 4002.5 (b) – Labeling of Temperature Compensation on Hydrocarbon Gas Vapor-Measuring Devices. (*Breanne Matsuura*). Breanne explained that the National Institute of Standards and Technology (NIST) Handbook 44, Section 3.33., paragraph S.4.3. Automatic Temperature Compensation is automatically adopted by reference in California Code of Regulations (CCR) Section 4000. However, the language of CCR Section 4002.5 (b) is the same language that is published in NIST Handbook 44, and it could be confusing for businesses and regulators alike to read a duplicate requirement adopted in two sections of California regulation. She recommended that the duplicate regulation in CCR Section 4002.5 (b) be repealed since the proper code citation for this requirement would be the incorporation of NIST Handbook 44 in CCR Section 4000.

Motion/Vote: To repeal 4 CCR 4002.5 (b).

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

2. RSA Application Process – Reporting Multiple Office/Maintenance Locations (*Lynn Carmichael*). BPC Section 12535. Lynn Carmichael said he was aware of some RSAs that have 30-40 locations, but only reported one to CDFA-DMS' website. He was wondering if it is required to report multiple locations. He felt this is negatively impacting the finances/funds of CDFA-DMS and eventually the counties. Lucian Stacy claimed that the regulation (and statute) is not clear as to what a maintenance location is, and that the law does not expressly require an RSA to report additional maintenance locations. However, if it does, then it would be subject to the fees established in BPC Section 12535. He also wondered whether service agents working from their homes using a company vehicle counted as a maintenance location. Samuel Ferris commented that while the law did not expressly define a maintenance location or require the RSA to report its additional maintenance locations, the RSA application has a section for reporting additional (maintenance) locations, and therefore it is implied that for an application to be complete, the RSAs additional maintenance locations would need to be reported. Application fees in BPC Section 12535 would then be assessed based on the RSA's application. Joseph Lundeen agreed there needs to be a clear definition of an additional maintenance location. He also acknowledged that there are RSAs that operate out of personal residences. Lucian Stacy mentioned that the Department of Transportation (DOT) has defined a business location as a place where a commercial vehicle is located. Lynn Carmichael added that the CDFA-DMS Weighmaster Program deals a lot with this and was wondering if there was a regulatory issue with visiting a residence. Joseph Lundeen replied that counties are not looking at homes or locations. Most enforcement comes from service agents working in the field. Matthew Douglas commented that the law is about 25 years old and may not reflect the current business practice. He wants the law to remain fair and yet have the capability to regulate RSAs. Lucian Stacy recommended that CDFA-DMS review the idea of defining additional maintenance locations in the law or regulation. Samuel Ferris commented that adding a definition to law would require an act of the Legislature through drafting a bill. Lucian Stacy asked if other California regulations defined trade terms to better clarify the law, and Samuel Ferris confirmed that to be true.

Motion/Vote: To define maintenance locations in California regulation rather than law.

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

G. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No comments were made.

H. NEXT MEET AGENDA

Samuel Ferris recommended an NCWM Overview presentation for the next meeting.

I. ADJOURNMENT

1. Lucian Stacy asked to adjourn this meeting.

Motion/Vote: To adjourn the meeting at 2:20 p.m.

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

Respectfully submitted:

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