CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

DMS NOTICE
D – 12 – 1
Discard: 12/2012

January 5, 2012

TO: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Adoption of CCR Sections 4000.1, 4000.2, and 4000.3 California Type Approval Fees

This is to inform you that on December 30, 2011, CCR Sections 4000.1, 4000.2, and 4000.3 "California Type Approval Fees" were approved by the Office of Administrative Law and took effect immediately.

A copy of the new language is attached and the DMS Field Reference Manual will be updated in the near future.

Please direct any questions to David Lazier, Assistant Director at (916) 229-3000.

Sincerely,

Kristin J. Macey
Director

cc: Edmund E. Williams, Director, County Liaison Office

DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

Title 4, Division 9, Chapter 1, Article 1, Section 4000.1
(California Type Approval Fees)

4000.1 Each person or business submitting for or seeking approval of a type or design of a weight, measuring, weighing, measuring or counting device or for a design or type of device used for commercial purposes, shall pay to the Department of Food and Agriculture, for deposit into the Food and Agriculture Fund, the following fees:

(a) A nonrefundable application fee in the amount of $500, submitted at the time of application. No evaluation work will begin until this fee is paid.

(b) A deposit based on the evaluator's estimated time and per diem, travel and transportation costs, equipment needed, and type of tests to be performed. Any remaining costs not covered by the deposit(s) shall be charged and collected before the issuance of the Certificate of Approval.

(c) At the time of issuance of a Certificate of Approval, all remaining deposit monies shall be refunded to the applicant.

(d) An application will be considered abandoned after 90 days of inactivity, if an applicant has not paid the required deposit of fees or if the applicant is non-responsive to questions asked or submission of additional information as required to start or finish the type approval process, or for nonpayment of fees within 90 days, and the applicant will be required to reapply and pay the required fees again.

NOTE: Authority cited: Sections 12027, 12107 and 12500.9 Business and Professions Code. Reference: Section 12107 and 12500.9 Business and Professions Code.

4000.2 The fees for type evaluation are as follows:

(a) Evaluator Time. The evaluator hourly rate (Department employee) is $150 per hour. The overtime rate is one and a half times the hourly rate. If a non-Departmental evaluator is used, the applicant will be billed directly at a rate set by them.

(b) Per Diem. The per diem rate shall be the current rate established by the California Department of General Services in the State Administrative Manual.

(c) Travel and Transportation Costs. These shall be the actual round trip costs of transportation for the evaluator to and from the evaluator's home base and the test site, in the

event that tests cannot be performed locally. Transportation costs include evaluator's time, airfare, rail or other fare, vehicle rental, tolls, parking and mileage costs.

(d) Equipment.

(1) Environmental Chamber: $600 per device per full cycle, which includes testing at four different temperatures at three hours per temperature. $300 per device for less than a full cycle.

(2) Pickup Truck, Van, or other Light Duty Vehicle: $48 per day plus $0.55 per mile.

(3) Pickup Truck, Van, or other Light Duty Vehicle used for carrying or pulling standards or equipment: $60 per day and $0.72 per mile.

(4) Heavy Capacity Scale Test Truck, carrying standards up to 20,000 lb: $200 minimum charge, $600 per day, plus $3.60 per mile.

(5) Liquid Propane Prover Trailer, 25 and 100 gallon sizes: $240 per day.

(6) Compressed Natural Gas Prover Bottle, (9.33 GGE or 53 lbs.): $120 per day.

(7) Electric Watt-Hour Meter Test Unit: $100 per day.

(8) One, Three, or Five Gallon Test Measure: $40 per day per test measure.

(9) 50 Gallon Prover: $100 per day.

(10) 305 Gallon Prover: $125 per day.

(11) Gravimetric Test Equipment: $125 per day.

(12) Stillman Bottle: $100 per day.

(13) Nozzle Test Vessel: $75 per evaluation.

(14) Bell Prover: $125 per vapor meter evaluated.

(15) Water Meter Test Bench: $100 per water meter evaluation.

(16) Repetitive Load Tester: $50 per device ≤ 50 lb and $75 per device > 50 lb, per day.

(17) Other unspecified equipment necessary for the evaluation: $100 per day.

(e) Additional Tests: Utility Meters and Load Cells.

(1) Utility Meter Laboratory Throughput: $125 per device for each vapor meter, $20 per day for each water meter, $15 per day for each electric meter.

(2) Load Cell Testing and Equipment: $7,200 per evaluation and $3,600 for each additional evaluation per application.

(f) Certificate fees and other charges.

(1) Certificate of Approval: $750 per application or device, up to two pages.

(2) Additional Pages, Certificate Updates, Amendments: $180 per each page reviewed, modified, or changed.

(3) Letter of Certificate from California Air Resources Board: $300 per device, component, or part reviewed.

NOTE: Authority cited: Sections 12027, 12107 and 12500.9 Business and Professions Code. Reference: Section 12107 and 12500.9 Business and Professions Code.

4000.3 Each person or business having an approved type or design of a weight, measuring, weighing, measuring or counting device or for a design or type of device used for commercial purposes, shall pay to the Department of Food and Agriculture, for deposit into the Food and Agriculture Fund, an annual administrative fee for the reasonable costs incurred for the maintenance of type approval certificates in hard copy and electronic formats of $200 per Certificate. The annual administrative fee shall be paid on the first anniversary after a Certificate is issued, and each year thereafter that the design or type of device is being manufactured.

NOTE: Authority cited: Sections 12027, 12107 and 12500.9 Business and Professions Code. Reference: Section 12107 and 12500.9 Business and Professions Code.