



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

June 16, 2020

DMS NOTICE
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Retain Until Superseded

TO: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Electric Vehicle Supply Equipment Frequently Asked Questions

New regulations for commercial Electric Vehicle Supply Equipment (EVSE) will become enforceable January 1, 2021. To assist county sealers as they prepare for the registration, testing, and sealing of these new devices, the Division of Measurement Standards (DMS) has developed the enclosed Frequently Asked Questions (FAQ) written specifically for county weights and measures officials.

Topics in the FAQ include: information about finding and tracking commercial EVSE; Metrology Laboratory certifications; type evaluation; field testing; and RSA reporting, to name a few. DMS welcomes your feedback to incorporate additional questions and answers into future editions of this FAQ.

If you have questions, please contact the Device Enforcement Program by email at

dms@cdfa.ca.gov or by telephone at 916.229.3000.

Sincerely,

Kristin Macey

Director

Enclosure

cc: Hyrum Eastman, County/State Liaison, CDFA



**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS**

**FREQUENTLY ASKED QUESTIONS
ELECTRIC VEHICLE SUPPLY EQUIPMENT**

**INTERNAL DOCUMENT for
CALIFORNIA WEIGHTS AND MEASURES OFFICIALS
(June 15, 2020)**

General Information

Electric Vehicle Fueling Systems, aka Electric Vehicle Supply Equipment (EVSE) or electric charging stations, when used for commercial purposes, are subject to regulation and oversight by Weights and Measures in California pursuant to Division 5 of the Business and Professions Code (BPC) and California Code of Regulations (CCR) Title 4, Division 9. The California Department of Food and Agriculture (Department), Division of Measurement Standards (DMS) promulgated an EVSE regulation that became effective January 1, 2020.

Q: What does the EVSE regulation do?

A: The most important aspect of the regulation is removing the tentative status from NIST Handbook 44, Section 3.40. Electric Vehicle Fueling Systems. This makes the requirements in that section enforceable in California. Secondly, the regulation sets phase-in implementation dates for commercial alternating current (AC) EVSE and direct current fast charger (DCFC) EVSE. The regulation amends the EVSE accuracy classes and makes minor changes to other sections. For more information visit the Division of Measurement Standards' (DMS) Regulations webpage:

<https://www.cdfa.ca.gov/dms/regulations.html>. You can view the final regulation that was endorsed and filed with the Secretary of State:

https://www.cdfa.ca.gov/dms/pdfs/regulations/EVSE-OAL_EndorsedLetter-and-FinalText.pdf

Q: When are the Phase-In Enforcement Dates?

A: January 1, 2021. All commercial AC EVSE installed on or after January 1, 2021 will be fully subject to the regulation.

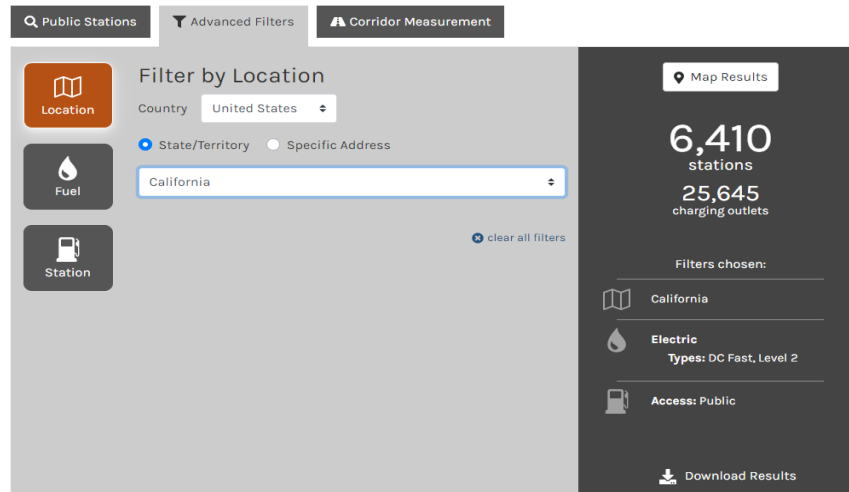
January 1, 2023. All commercial DCFC EVSE installed on or after January 1, 2023 will be fully subject to the regulation.

January 1, 2031. All commercial AC EVSE installed *prior* to January 1, 2021 shall comply with the regulation by January 1, 2031.

January 1, 2033. All commercial DCFC EVSE installed *prior* to January 1, 2023 shall comply with the regulation by January 1, 2033.

Q: How can I locate commercial EVSE in my county?

A: This information is available in the Alternative Fuels Data Center (AFDC), part of the U.S. Department of Energy's Office of Energy Efficiency and Renewable Energy's Vehicle Technologies Office: <https://afdc.energy.gov/stations/#/analyze?fuel=ELEC>.



Click the Location button and select California from the drop-down menu. On the right side of the screen, note that Public Access stations are reported. Click the Download Results button for an Excel listing of stations and charging outlets (aka charging cords or “ports”) throughout California. Sort the data by city, zip code, or other information relevant to your search.

DISCLAIMER: The information on the AFDC website comes from the National Renewable Energy Laboratory, as reported by EVSE station owners. Although the list is updated regularly and considered generally reliable, it may not be complete, and may include noncommercial EVSE charging locations.

Q: Which EVSE have been type approved?

A: None yet. As of June 15, 2020, three EVSE manufacturers have applied for CTEP approval. NTEP is not currently accepting EVSE applications.

Q: When will Registered Service Agencies (RSA) begin submitting placed in service reports for EVSE?

A: Starting January 1, 2021, persons installing, repairing, and placing commercial EVSE back into service must report their work to county offices. Commercial EVSE not subject to the regulation will not require county notification. If you find a new installation after that date and have not received a placed in service report, please issue a Notice of Violation and notify DMS.

Q: Does an RSA performing work on an EVSE need to have certified standards?

A: Yes. The Registered Service Agency must possess, or have available for use, certified standards and testing equipment, but agents do not have to possess standards unless they perform field repairs and place EVSE back into service. DMS has been told

that in some cases, an agent will remove the malfunctioning EVSE and replace it with a new one. In this case, the agent will not need certified standards.

Q: Will the DMS Metrology Laboratory certify county EVSE field standards?

A: Yes. However, to save time scheduling this service from the DMS Metrology Laboratory, DMS strongly encourages counties to have their field standards certified by the manufacturer at time of purchase. The manufacturer's laboratory must have ISO/IEC 17025:2005 accreditation.

Q: Where can I purchase EVSE field standards?

A: As of June 15, 2020, TESCO is the only company selling EVSE field standards: <https://www.tescometering.com/product/electric-vehicle-test-systems-evse/>

Q: Does DMS have field standards to loan counties?

A: Yes. DMS has two sets of field standards available for county use.

Q: What training will DMS provide to county inspectors?

A: DMS will provide one-on-one training to county officials when they borrow DMS' field standards, or after they purchase their own field standards.

Q: Is there an EPO for testing EVSE?

A: At this time, DMS has a draft EPO and will share it with counties who purchase field standards. The EPO will be finalized and available to all counties before January 1, 2021.

Q: What is the frequency of inspection for EVSE?

A: After the initial inspection, DMS recommends a two-year interval. After sufficient field data has been collected by DMS and counties, this may change.

Q: What is the certification frequency of county EVSE standards?

A: At this time, every four years, like most other standards. However, this is subject to change if Metrology Laboratory data supports a different certification frequency.

Q: What should I do if I receive a complaint about an EVSE not covered under the new regulation?

A: Complaints should be investigated, and a county official may take enforcement action against the owner/user of a non-regulated EVSE, e.g., use BPC section 12024.2 if the EVSE is overcharging customers. However, the official should not put a yellow or red tag on the EVSE.

Q: Should county officials test AC EVSE installed before January 1, 2021?

A: DMS discourages the use of resources for testing EVSE installed prior to 2021. EVSE installed prior to 2021 do not have to comply with any of the requirements in NIST Handbook 44 including Sections 1.10. General Code and 3.40. Electric Vehicle Fueling Systems. Requirements such as the marking, receipt recording, indication, or test tolerances are not applicable to those devices until January 1, 2031.

Q: Should county officials test new DCFC EVSE after January 1, 2021?

A: Not yet. DCFC EVSE do not have to comply with California regulation until 2023. Additionally, field standards to test DCFC EVSE are not yet available for purchase.

Q: What will the device registration fee be for commercial EVSE?

A: That will depend on the fees established by your county's ordinance not to exceed the maximum allowable fees established in BPC section 12240. For EVSE, the Department administrative fee authorized in BPC 12241 is \$1.10 per device.

Q: I have a question that isn't covered in this FAQ. Who do I contact?

A: Contact DMS via email at DMS@cdfa.ca.gov. Include "EVSE FAQ" in the subject line of your email.