



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Karen Ross, Secretary

January 24, 2023

DMS NOTICE
D – 23 – 01
Discard: Retain

To: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Electric Vehicle Fueling Systems / Electric Vehicle Supply Equipment –
Meaning of Installed vs. Placed in Service

The Division of Measurement Standards (DMS) has received questions from county weights and measures officials regarding the meaning of “installed” vs. “placed in service” as those terms relate to Electric Vehicle Fueling Systems (EVFS) / Electric Vehicle Supply Equipment (EVSE) and the application of the California Department of Food and Agriculture’s (CDFA’s) EVFS/EVSE regulations.

DMS referred these questions to CDFA Legal Counsel for their opinion. Based upon their research and consideration of the EVFS/EVSE regulation’s [Initial Statement of Reasons \(ISOR\)](#) and [Final Statement of Reasons \(FSOR\)](#); and California Code of Regulations ([CCR](#)) § 4002.11.; CDFA Legal Counsel concluded the following:

- AC EVSE “installed” prior to January 1, 2021 and “placed into service” after January 1, 2021 are exempt from compliance with CCR § 4002.11, including the specifications and tolerances requirements, until January 1, 2031.
- DC EVFS “installed” prior to January 1, 2023 and “placed into service” after January 1, 2023 are exempt from compliance with CCR § 4002.11, including the specifications and tolerances requirements, until January 1, 2033.

In summary, EVFS/EVSE that were connected to a power supply, e.g., “wall mounted” or “put in the ground”, prior to the effective dates stated above, but not available for commercial purposes until after those dates, are exempt from compliance with CCR § 4002.11 until January 1, 2031 and January 1, 2033 respectively.

Additional information may be found in DMS Notices [D – 21 – 02R](#) and [D – 22 - 01](#)

However, to be clear, EVFS/EVSE are subject to annual device registration fees upon being placed into service for commercial purposes, as per Business and Professions Code § 12240, provided they are not exempt from weights and measures’ jurisdiction.



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If you have questions, please contact Kevin Schnepf at kevin.schnepf@cdfa.ca.gov or contact the DMS office at (916) 229-3000.

Sincerely,

A handwritten signature in blue ink that reads "Kristin Macey". The signature is written in a cursive style.

Kristin Macey, Director

cc: Hyrum Eastman, County/State Liaison