



August 23, 2024

DMS Notice  
D – 24 – 04  
Discard: Retain

**TO:** WEIGHTS AND MEASURES OFFICIALS

**SUBJECT:** Replacement of Payment Card Readers on Retail Motor Fuel Liquid-Measuring Devices

Recently the Division of Measurement Standards (DMS) has received outreach from multiple counties indicating that they have been asked questions from industry representatives regarding the need to have a Registered Service Agency/Agent (RSA) replace payment card readers on Retail Motor Fuel Dispensers.

Payment card readers on Retail Motor Fuel Dispensers are a part of the system which is used to authorize the transaction and are often used in conjunction with providing recorded representations, as well as activation of the device(s). Payment card readers are frequently listed on type evaluations for Retail Motor Fuel Dispensers, Remote Payment Kiosks, Console Controllers, and in many cases are separately type evaluated.

Business and Professions Code (BPC) section (§)12500(b) defines “measuring instrument” as, “...any device, contrivance, apparatus, or instrument used, or designed to be used, for ascertaining measure and includes any tool, *appliance, or accessory used or connected therewith.*” (Italics added for emphasis.)

The replacement of a payment card reader on a Retail Motor Fuel Dispenser constitutes a “repair” as defined by BPC § 12531(f).

Any person who for hire, award, commission, or payment of any kind who replaces such a payment card reader is a “service agency” as defined by BPC § 12531(a) and is required to register with CDFA-DMS [Ref: BPC § 12532(a)].

A Registered Service Agency has the authority to perform repairs and then place the device(s) into service [Ref: BPC §§ 12531(d) & 12532(d)].

A device owner may replace a card reader on their own device; however, the device cannot be used again for commercial purposes, as defined by BPC § 12500(e), until placed into service by a Sealer or a Registered Service Agency.





During the inspection of a repaired device, it should be determined by the official that the device complies with the applicable type evaluation certificate(s) and all applicable requirements for that device type.

Additionally, any other maintenance or repair which results in a seal being broken and/or removed requires an RSA or a Sealer to place the devices into service before the device(s) can be used for commercial purposes.

It is unlawful to remove or obliterate any device placed upon any measuring instrument by a sealer [Ref: BPC § 12508], this includes an official County seal.

If you have any questions, please contact the CFDA-DMS Device Program by email at [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov) or by phone at (916) 229-3000.

Sincerely,

Kevin Schnepf  
Director

cc: Hyrum Eastman, County/State Liaison

