California Department of Food and Agriculture (CDFA)
Division of Measurement Standards (DMS)

EVSE Informational Hour Questions and Answers
September 30, 2025

1. What are the external marking requirements going to be on Tesla dispensers as to Minimum Measured Quantity (MMQ), Serial Number (S/N), and Certificate of Conformance (CC) numbers?

   The location of required markings for a given device is identified on the applicable type evaluation certificate in the "Identification" portion of the certificate.

2. Regarding EVSE devices and how they charge customers, what is considered a commercial transaction? Is it limited to charging by kilowatt-hour, or does charging by time also qualify as commercial?

   The definition of "commercial purposes" can be found in Business and Professions Code (BPC) Section 12500 (e). This includes the measurement of any commodity or thing sold based on measure.

   To clarify, EVSE used to charge electric vehicles shall indicate and record in kilowatt hours (kWh). National Institute of Standards and Technology Handbook 44 (NIST HB 44), Section 3.40, Section S.1.3.1. does not allow electricity to be sold by time. EVSE may be capable of applying additional time-based fees subject to both NIST HB 44, Section 3.40. Electric Vehicle Fueling Systems Code and the NIST HB 44, Section 5.55. Timing Devices Code.

3. I understand that billing by kilowatt-hour is classified as commercial, but I'd like clarification on whether time-based billing falls under the same category. If so, does the TESCO unit perform that type of test in the field?

   Time-based testing through the Tesco unit is not something we have currently explored; Tesco may have further information. The use of a certified stopwatch is the current traceable method of testing and verifying time-based charges on commercial devices.

4. Can we swap the DC meter (e.g. with another brand/make) in our CTEP-certified chargers? Our CTEP certificate shows a picture of the chargers which include the DC meters as well, but the brand is not explicitly called out in the certificate. So, does it not matter? Or would we have to re-do (or just update) our CTEP certificate once we change the DC meter brand?

   The replacement of a meter is a metrologically significant event and would require an updated certification, including evaluation of the system with the new meter component.

5. Field recertification, visibility of California jurisdictions and compliance thereof. How do we know what is required, where, and when?

   The DMS website has resources for installers and owner/operators of commercial EVSE including multiple FAQs directed toward EVSE applications; an Examination Procedure Outline (EPO) specific to EVSE; as well as the California BPC and California Code of Regulations (CCR), which detail the laws and regulations for selling, installing, and operating commercial EVSE.

   You can also contact the local office of weights and measures where the device is intended to be installed.

6. What are the exact requirements for a Factory Certification? (Our HQ is in North Carolina, we manufacture in Wisconsin, but sell in California – what applies?)

   We have a guidance document that we can share with you on how to conduct in-factory RSA testing of EVSE. The device will still need to be placed into service by an RSA to verify that it meets applicable requirements, including user requirements that can only be verified upon installation and activation.

7. What is the current status of providing industry with additional detail regarding the pathway to test and seal EVSEs at the end of the manufacturing line?

   We have a guidance document that we will email you.

8. I would like to understand how the California Department of Food and Agriculture currently holds counties accountable for enforcement.

   The counties report their inspection data on a monthly basis, which is compiled into an annual report. The BPC and CCR detail the duties and responsibilities of county sealers as they pertain to commercial devices registered in their jurisdiction. DMS provides training, guidance, and support to the counties.

9. Additionally, how do counties that lack certification equipment contract with RSAs for testing purposes?

   County weights and measures offices do not contract with RSAs for testing purposes. The owner of the device hires RSAs to install and repair commercial devices. In some instances, counties may observe the testing performed by RSAs (aka witness testing) for the purpose of verifying and sealing a device. Additionally, CDFA-DMS has EVSE field standard equipment available to be loaned to county weights and measures offices to assist them with testing and sealing commercial EVSE placed in service in their jurisdictions.

10. Lastly, how is the CDFA collaborating with RSAs to ensure certification and achieve statewide compliance?

    CDFA-DMS has developed resources including multiple FAQs directed toward EVSE applications and an Examination Procedure Outline (EPO) specific to EVSE. Efforts have been taken to streamline the information on the DMS website for EVFS manufacturers, RSAs, and owners to help them better understand California requirements.

    DMS is hosting this series of "EVSE Informational Hours" specifically addressing questions raised by stakeholders associated with EVFS.

    CDFA-DMS has contacted the Electric Vehicle Infrastructure Training Program (EVITP) requesting that their training incorporates information regarding RSA legal requirements and the RSA business opportunity to trainees. We have also offered to provide on-site presentations to their trainees in addition to their training program.

    The DMS website has a page with links to the laws and regulations for selling, installing, and operating commercial EVSE.

CDFA-DMS does not train service agents. They are trained by their respective employers. CDFA-DMS registers service agencies and licenses service agents to ensure that each is familiar with the laws and regulations applicable to the devices they install, repair, adjust, calibrate, and place in service.
It is up to a service agency and its agents to be familiar with the code requirements and its equipment.

11. Looking forward, many charging providers will look to retrofit existing EVSE with CCS1 charging connectors to J3400 NACS connectors via an in-field retrofit. Assuming the retrofit does not modify the meteorological components of the charger and the charger's CTEP certificate includes both CCS1 and J3400 NACS versions - can CDFA confirm whether an RSA needs to conduct additional testing once the connector retrofit is completed?

    In general, this level of modification and whether it would affect the device being "correct" would depend on factors including altering the voltage compensation or other components involved in determining the total energy delivered. Any modification that may impact a device's metrological functions and/or "correctness" will require reevaluation.

12. For companies that can confirm low failure rates for RSA field testing below a certain threshold, is there an opportunity to enable a grace period between energizing a station and completing RSA testing/placing into service in the field?

    No. The placed in service requirements are part of statute, and CDFA cannot issue waivers or variances to established law.

13. When charging station fees are set at a flat rate, do RSA certification requirements still apply? Does RSA only apply where dynamic pricing is involved at charging stations?

    "Commercial purposes" as defined by Business and Professions Code (BPC) Section 12500 (e), is the determining factor regarding applicability to weights and measures laws and regulations, including RSA requirements. To answer this question, we need clarification on what you mean by flat rate.
    To clarify, EVSE used to charge electric vehicles shall indicate and record in kilowatt hours (kWh). National Institute of Standards and Technology Handbook 44 (NIST HB 44), Section 3.40, Section S.1.3.1. does not allow electricity to be sold by time.

14. How does RSA certification apply to semi-private/shared public charging at multifamily housing sites?

    "Commercial purposes" as defined in Business and Professions Code (BPC) Section 12500 (e), is the determining factor regarding applicability to weights and measures laws and regulations, and this provision is not location dependent.
    A device intended to be used for commercial purposes may only be placed into service by a sealer (a state or county weights and measures official) or a registered service agency.

15. Is there a certain way the state requires the "Class 5" marking on the DC devices (place in services prior to 2025) to be positioned or made?

    This section from NIST HB 44 is not adopted in California. California regulations already allow a 5% maintenance tolerance based upon the type evaluation of the device without an additional marking requirement.

16. Once the device is CTEP certified and purchased/operated by a customer, who is responsible for registering?

    In accordance with BPC Section 12515, the owner/operator is responsible for contacting the county office of weights and measures, who will then register the device in accordance with their county ordinance.

17. Placing a charger into service within 24 hours after commissioning can be challenging. Can we send place in service documentation to counties earlier? For example, our installations are typically operable but not operating until we have a final inspection and signoff by the local AHJ. The timeframe between when the systems are operable and operating can sometimes be weeks. If it is acceptable to send during this timeframe, that would be helpful. 2. What is the penalty if the Placed in Service Report is not sent within 24 hours after commissioning?

    The requirements for a Placed in Service Report are adopted in CCR Section 4085. This regulation requires notice to the county within the 24-hour period following placing *the device into service. "Placed in service" means permitting the use of the device after finding the device to be correct and type approved.*

    Except as otherwise specifically provided, pursuant to BPC Section 12510 (a)(10), a person violating any provision of Division 5 of the Business and Professions Code or regulation adopted by Division 5 of the Business and Professions Code is guilty of a misdemeanor.

18. Is consumer protection the main intent of CTEP? If so, what data is available illustrating faulty metering from EVSPs? Could this regulation, and its associated costs, impede the State's own goals for vehicle electrification?

    The purpose of type evaluation is to certify that the design and performance of a new commercial weighing or measuring device model is capable of meeting applicable requirements, including that the device is suitable for its intended use, is accurate, operates correctly, has all required markings, and prevents the facilitation of fraud. Type evaluation project data is confidential. Type evaluation is a statutory requirement and not the result of any regulatory action by the Department.

19. If we relocate a compliant device without affecting the internals, do we retest?

    Yes.

    IS there a special testing protocol for using the man-in-the-middle cable to a vehicle?

    Yes. NIST HB 44, Section 3.40, Section N.3.3 outlines the testing procedures for using the man-in-the-middle cable for testing.

    Will DMS publish a listing of those manufacturers who are testing at the factory?

    Currently, there are no manufacturers with an established in-factory RSA testing program. A guidance document is being finalized to assist manufacturers in establishing an in-factory RSA testing and reporting program.

20. Is it possible to elaborate a bit more regarding how DMS will consider handling non-EVSE smart outlets that have already been installed over the years in advance of regulations or guidance pertinent or applicable to those devices, given that they are not EVSE but can/could be used for EV charging?
    While it is great to hear that DMS has been working with some manufacturers of those devices on a potential forward pathway/approach, the answer to this broader question will be helpful for installers, developers, utilities and other entities that have been involved with the historical and ongoing deployment of smart outlets.
    This situation seems somewhat analogous to the earlier situation with EVSE, where it was necessary to grandfather some pre-existing or legacy devices installed prior to relevant/applicable regulations or guidance being finalized.

    Devices used for commercial purposes must be type evaluated and meet applicable requirements. We are currently evaluating smart outlets for commercial EVSE applications.

21. Early word was CTEP retest every 6 months (Assembly Bill). Is this still in effect?

    No. CTEP is specifically for type evaluation of commercial device designs. Once a design type has been approved, it is not required to be reevaluated by CTEP unless the device design is modified. It was determined during the Q&A session that the question was regarding Assembly Bill (AB) 2037 and BPC Section 12209.7. The 6-month inspection period enacted in that section does not apply to CTEP, it applies to local publicly owned electric utilities as stated in BPC Section 12209.7 (g)(1)(C).

    Are University of California sites now regulated?

    AB 2037 takes effect January 1, 2026. BPC Section 12209.7 is permissive and therefore subject to implementation at the discretion of the local county weights and measures authority.

22. We had our sticker/seal reviewed by the CDFA, is this necessary? Are there published guidelines on the seal/sticker?

    No, so long as the RSA label contains all information required by CCR Section 4085 (a)(4).

23. Can you please explain how Tesla gen 3 dispensers were CTEP approved without a screen?

    EVSE are evaluated as a system, with activation methods such as a point of sale, mobile application, or web-based URL considered during the evaluation of these systems. While the device itself may not have an integral screen, the system has the ability to comply with the requirements found in the 2025 edition of NIST Handbook 44 and the California Code of Regulations.

    As a follow-up, does this mean that the Tesla gen 3 dispensers are not compliant with CTEP with non-Tesla vehicles?

    The V3 products have been certified in conjunction with the Tesla mobile app and the Tesla vehicles.

24. As follow up to a previous question -- what happens if there are disagreements between counties on whether an RSA sticker complies with the requirements? Does DMS have role as adjudicator to ensure uniformity?

    The requirements in CCR Section 4085 are clear.

25. I would be surprised if this is not the case but is ChargePoint a registered RSA currently? I am not seeing them on the agency list found on your website, but I see other sources stating that they are (namely the ChargePoint website).

    We believe that they are registered, but we will need to review our registration records.

26. Is CTEP hardware only approved in conjunction with the software listed on the CTEP certificate? We heard that an EVSP had issues with the County because their software wasn't specifically tested with the CTEP-certified EV charger.

    CTEP hardware is evaluated in conjunction with software and must be evaluated as a system. An EVSP who offers mobile app or web-based URL activation methods must have the device evaluated in conjunction with CTEP-approved hardware before receiving a CTEP Certificate of Approval.