Pursuant to Business and Professions Code section 12107, section 4000 in Title 4 of the California Code of Regulations states, "Commercial weighing and measuring devices shall, except where [otherwise noted], conform to the latest requirements set forth in the National Institute of Standards and Technology Handbook 44 'Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices' ([‘Handbook 44’])" and to other additional requirements. In this regular rulemaking, the Department of Food and Agriculture is amending and repealing requirements in Handbook 44 for their application in California.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2020.

Date: December 17, 2019

Steven J. Escobar
Attorney

Original: Karen Ross, Secretary
Copy: Samuel Ferris

For: Kenneth J. Pogue
Director
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE
Electric Vehicle Fueling Systems

2. REGULATORY ACTION
Revised

3. NOTICE TYPE
Revised Proposal

4. AGENCY CONTACT PERSON
Samuel Ferris

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
Electric Vehicle Fueling Systems

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

3. SECTION(S) AFFECTED
(Adopt 4002.11, Amend 4001, Repeal 4002.11)

4. TYPE OF FILED
Regular Rulemaking

5. EFFECTIVE DATE
Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4, 11346.1)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
Department of Finance (Form STD. 399, SAM 66690)

7. CONTACT PERSON
Samuel Ferris

8. CERTIFICATION
I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE
Kevin Masuhara, Deputy Secretary

DATE
10/30/19
§ 4001. Exceptions.

The following regulations in Handbook 44 are not adopted or incorporated by reference:

1.10. General Code.

G-S.1.2. Remanufactured Devices and Remanufactured Main Elements.


(b) equipment that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time;

(c) equipment that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service;

(d) equipment that is being officially tested for the first time within 30 days after major reconditioning or overhaul;

2.20. Scales.

S.1.8.4. Customer's Indications.

N.3. Minimum Test Weights and Test Loads*.

UR.2.6.1 Vehicle Scales.

UR.3.7. Minimum Load on a Vehicle Scale.


UR.2.2. Ticket Printer; Customer Ticket.


UR.2.3. Vapor Return Line.


S.4.3. Temperature Compensation.


S.1.3.1.1. Compressed Natural Gas Used as an Engine Fuel.

S.1.3.1.2. Liquefied Natural Gas Used as an Engine Fuel.

S.5.2. Marking of Equivalent Conversion Factors for Compressed Natural Gas.

S.5.3. Marking of Equivalent Conversion Factor for Liquefied Natural Gas.

UR.3.1.1. Marking of Equivalent Conversion Factors for Compressed Natural Gas.

UR.3.1.2. Marking of Equivalent Conversion Factor for Liquefied Natural Gas.


A.2. Exceptions

(c). Devices used for dispensing a hydrogen gas with a hydrogen fuel index lower than 99.97 % and concentrations of specified impurities that exceed level limits.

A.4. Type Evaluation.

N.3. Test Drafts.


N.4.2. Gravimetric Tests.

N.4.3. PVT Pressure Volume Temperature Test.


T.2. Tolerances.

Table T.2.


A.4. Type Evaluation.

S.1.3.2. EVSE Value of Smallest Unit.

S.2.4.1. Unit Price.

S.2.4.2. Equipment Capacity and Type of Voltage.

S.2.7. Indication of Delivery.

S.3.5. Temperature Range for System Components.

S.5.2. EVSE Identification and Marking Requirements.

N.2. Starting Load Test.

T.2. Load Test Tolerances.

T.2.1. EVSE Load Test Tolerances.

Appendix D. Definitions for:

Diesel Gallon Equivalent (DGE).

Electricity as Vehicle Fuel.

Gasoline Gallon Equivalent (GGE).

Remanufactured Device.

Repaired Device.

Remanufactured Element.

Repaired Element.

§ 4002.11. Electrical Vehicle Fueling Systems. (3.40.)

A.1.1. Effective Date for AC EVSE. – All AC EVSE used for commercial purposes shall comply with all requirements of this article in accordance with the following:
   (a) All AC EVSE installed prior to January 1, 2021, shall comply with the requirements of this article by January 1, 2031.
   (b) All AC EVSE installed on or after January 1, 2021, shall comply with the requirements of this article upon installation.

A.1.2. Effective Dates for DC EVSE. – All DC EVSE used for commercial purposes shall comply with all requirements of this article in accordance with the following:
   (a) All DC EVSE installed prior to January 1, 2023, shall comply with the requirements of this article by January 1, 2033.
   (b) All DC EVSE installed on or after January 1, 2023, shall comply with the requirements of this article upon installation.

A.4. Type Evaluation. – The National Type Evaluation Program (NTEP) or California Type Evaluation Program (CTEP) will accept for type evaluation only those EVSEs that comply with all requirements of this article and have received safety certification by a nationally recognized testing laboratory (NRTL).

S.1.3.2. EVSE Value of Smallest Unit. – The value of the smallest unit of indicated delivery by an EVSE, and recorded delivery if the EVSE is equipped to record, shall be no greater than 0.0005 MJ or 0.0001 kWh.

S.2.4.1. Unit Price. – An EVSE shall be able to indicate on each face the unit price at which the EVSE is set to compute or to dispense at any point in time during a transaction. A computing EVSE shall display the unit price in whole cents (e.g., $0.12) or tenths of one cent (e.g., $0.119) on the basis of price per megajoule (MJ) or kilowatt-hour (kWh). In cases where the electrical energy is unlimited or free of charge, this fact shall be clearly indicated in place of the unit price.

S.2.4.2. Equipment Capacity and Type of Voltage. – An EVSE shall be able to conspicuously display on each face the maximum rate of energy transfer (i.e., maximum power) and the type of current associated with each unit price offered (e.g., 7 kW AC, 25 kW DC, etc.).

S.2.7. Indication of Delivery. – The EVSE shall automatically display on its face the initial zero condition and the quantity delivered (up to the capacity of the indicating elements).

S.3.5. Temperature Range for System Components. – EVSEs shall be accurate and correct over the temperature range of −40 °C to +85 °C (−40 °F to 185 °F). If the system or any measuring system components are not capable of meeting these requirements, the temperature range over which the system is capable shall be stated on the National Type Evaluation Program (NTEP) Certificate of Conformance (CC) or California Type Evaluation
Program (CTEP) Certificate of Approval (COA), conspicuously, legibly, and indelibly marked on the EVSE, and installations shall be limited to the narrower temperature limits.

S.5.2. EVSE Identification and Marking Requirements. – In addition to all the marking requirements of Section 1.10. General Code, paragraph G-S.1. Identification, each EVSE shall have the following information conspicuously, legibly, and indelibly marked:
   (a) voltage rating;
   (b) maximum current deliverable;
   (c) type of current (AC or DC or, if capable of both, both shall be listed);
   (d) minimum measured quantity (MMQ); and
   (e) temperature limits, if narrower than and within –40 °C to +85 °C (–40 °F to 185 °F).

N.2. Starting Load Test. – A system starting load test may be conducted by applying rated voltage and 0.5-ampere load.

T.2. Load Test Tolerances. – The tolerances for EVSE load tests shall be as shown in Table T.2. Accuracy Classes and Tolerances for EVSE.
Table T.2. Accuracy Classes and Tolerances for EVSE

<table>
<thead>
<tr>
<th>Accuracy Class</th>
<th>Application or Commodity Being Measured</th>
<th>Acceptance Tolerance</th>
<th>Maintenance Tolerance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0</td>
<td>AC electricity as a vehicle fuel</td>
<td>1.0 %</td>
<td>2.0 %</td>
</tr>
<tr>
<td>5.0(^1)</td>
<td>DC electricity as a vehicle fuel</td>
<td>2.5 %</td>
<td>5.0 %</td>
</tr>
<tr>
<td>2.0(^2)</td>
<td>DC electricity as a vehicle fuel</td>
<td>1.0 %</td>
<td>2.0 %</td>
</tr>
</tbody>
</table>

\(^1\)The tolerance values for Accuracy Class 5.0 DC EVSE are applicable to devices installed prior to January 1, 2033.

\(^2\)The tolerance values for Accuracy Class 2.0 DC EVSE are applicable to devices installed on or after January 1, 2033.

Appendix D. Definitions

electricity as vehicle fuel. — Electrical energy transferred to or stored onboard an electric vehicle primarily for the purpose of propulsion. [3.40]