



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

# Division of Measurement Standards Pre-Rulemaking Workshop for Electric Vehicle Charging Station Requirements

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SERVING AND PROTECTING CALIFORNIA'S CONSUMERS,  
BUSINESSES, ECONOMY AND ENVIRONMENT



# Pre-Rulemaking Workshop Overview

- Scope of Workshop
- U.S. and California Weights and Measures Laws and Regulations
- Legislation and Regulatory Authority
- National Institute of Standards and Technology (NIST) Handbook 44
- Rulemaking Process and Timeline
- Overview of Draft Text

# Pre-Rulemaking Workshop Scope

- This Workshop IS About

- Early stakeholder involvement
- Measurement standards for commercial transactions
  - Financial protection and value comparison for consumers
  - Equity for competing businesses – a level playing field

- This Workshop is NOT About

- Electric Vehicle Charging Stations (aka EVSE) under CPUC
- EVSE Advertising and labeling requirements

# U.S. Weights and Measures Laws and Regulations

- No Federal Weights and Measures Law in the U.S.
- Federal Government assistance from NIST
- States can and do develop their own weights and measures laws
- However, most states rely on adoption of uniform laws developed by the National Conference on Weights and Measures (NCWM)
- NCWM members include California state and county officials and industry sector members (EVSE manufacturers)

# U.S. Weights and Measures Laws and Regulations

- Within the U.S. Department of Commerce is the NIST Office of Weights and Measures (OWM)
- NIST OWM provides technical guidance to NCWM and focused workgroups
- NCWM with input from members (federal, state, local, and industry) develops standards
- NIST publishes handbooks containing NCWM Standards
- States may or may not adopt model laws/regulations

# National Institute of Standards and Technology

## Handbook 44

- Specifications, Tolerances and Other Technical Requirements for Commercial Devices
- Used by CDFA DMS for Type Evaluation of new makes/models of devices, e.g., EVSE
- Used by counties as a field enforcement manual
- Used by manufacturers when designing new commercial EVSE



# CA Weights and Measures Laws and Regulations

- Law: California Business and Professions Code, Division 5

<http://leginfo.legislature.ca.gov/faces/codes.xhtml>

- Regulations: California Code of Regulations, Title 4, Division 9

<http://www.oal.ca.gov/ccr.htm>

# Recent Legislation

- Assembly Bill 808 (Ridley-Thomas, Chapter 591, Statutes of 2015)
  - Advertising Exemptions for EVSE

# Other Rulemaking

- Pre-Rulemaking: Fuels, Lubricants And Automotive Products; Method Of Sale, Advertising And Labeling (including EVSE Method of Sale by kilowatt hour)

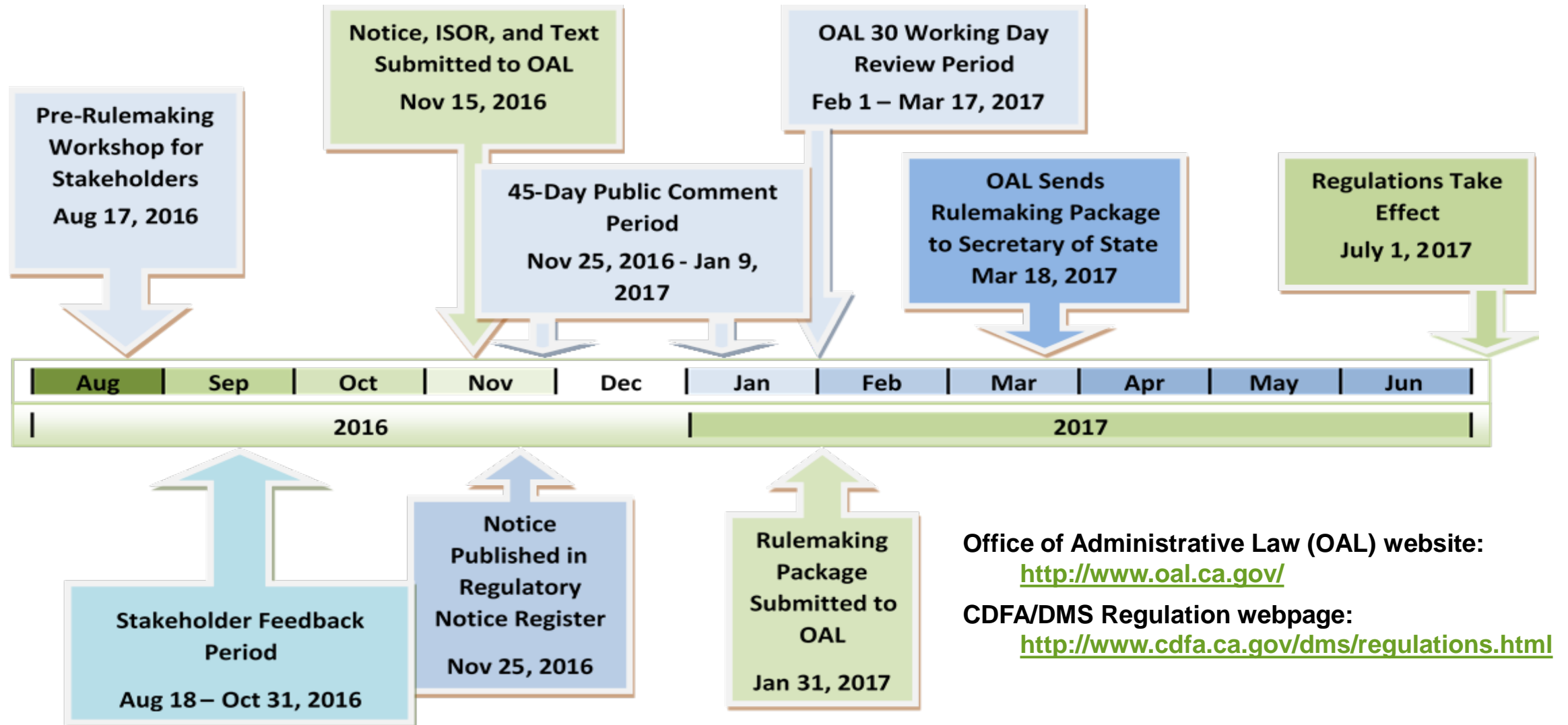
<https://www.cdfa.ca.gov/dms/regulations.html>



# Adoption into Regulation: Two Methods

1. Business and Professions Code, Division 5, Section 12107 adopts NCWM Uniform Laws and Regulations by reference
  - Examples: gas pumps, grocery scales
2. Section 12107 also authorizes addition, modification, or rejection by regulation
  - Examples: electric watt-hour meters (utility submeters), hydrogen dispensers

# Adoption into Regulation: Process and Timeline



# CA Weights and Measures Laws and Regulations

- Who to Enforce? State and 58 Counties
  - State: California Department of Food and Agriculture, Division of Measurement Standards (CDFA DMS)
  - State: Maintains standards (mass, length, volume, electric current, etc.), evaluates new types of measuring devices, oversees work performed by counties
  - Counties: Local departments of weights and measures perform the majority of all field inspections

# Commercial EVSE Device Requirements

- NIST Handbook 44 Requirements:
  - Accuracy, Repeatability, Suitability, Indications, Representations, Facilitation of Fraud
- Type Evaluation performed by a laboratory authorized by the NCWM's National Type Evaluation Program (NTEP)
- CDFA DMS is a participating NTEP laboratory
- Routine field testing and complaint monitoring to ensure continued compliance with NIST Handbook 44

# Proposed Changes to CCR, Title 4, Division 9

## Article 1, § 4001. Exceptions

### 3.40. Electric Vehicle Fueling Systems – Tentative Code and Preamble

#### **Section 3.40. Electric Vehicle Fueling Systems –~~Tentative Code~~**

~~This tentative code has a trial or experimental status and is not intended to be enforced. The requirements are designed for study prior to the development and adoption of a final code. Officials wanting to conduct an official examination of an Electric Vehicle Supply Equipment (EVSE) or system are advised to see paragraph G-A.3. Special and Unclassified Equipment.~~

# Next Steps

- Feedback from Stakeholders to [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov) by October 31.
- State will provide an Examination Procedures Outline to counties
- Counties will begin registering commercial EVSE (Business and Professions Code Section 12240)
- Counties will begin examining and sealing commercial EVSE (Business and Professions Code Section 12210)

# Successful Commercialization of EVSE



# Thank You!

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