



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Division of Measurement Standards Pre-Rulemaking Workshop for Transportation Network Systems

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



Workshop Overview

- Scope of Workshop
- U.S. and California Weights and Measures Laws and Regulations
- Transportation Network Systems in Relation to Weights and Measures Requirements
- National Institute of Standards and Technology (NIST):
 - U.S. National Work Group on Taximeters and GPS Subcommittee
- Overview of Draft Text

Scope of Pre-Rulemaking Workshop

- This Workshop is About

- Early stakeholder involvement – pre-notice public discussions
- Measurement standards for commercial transactions

- This Workshop is NOT About

- Formal Rulemaking Proceedings
- Non-measurement issues: Driver licensing, insurance, background checks, rates, other non-measurement issues

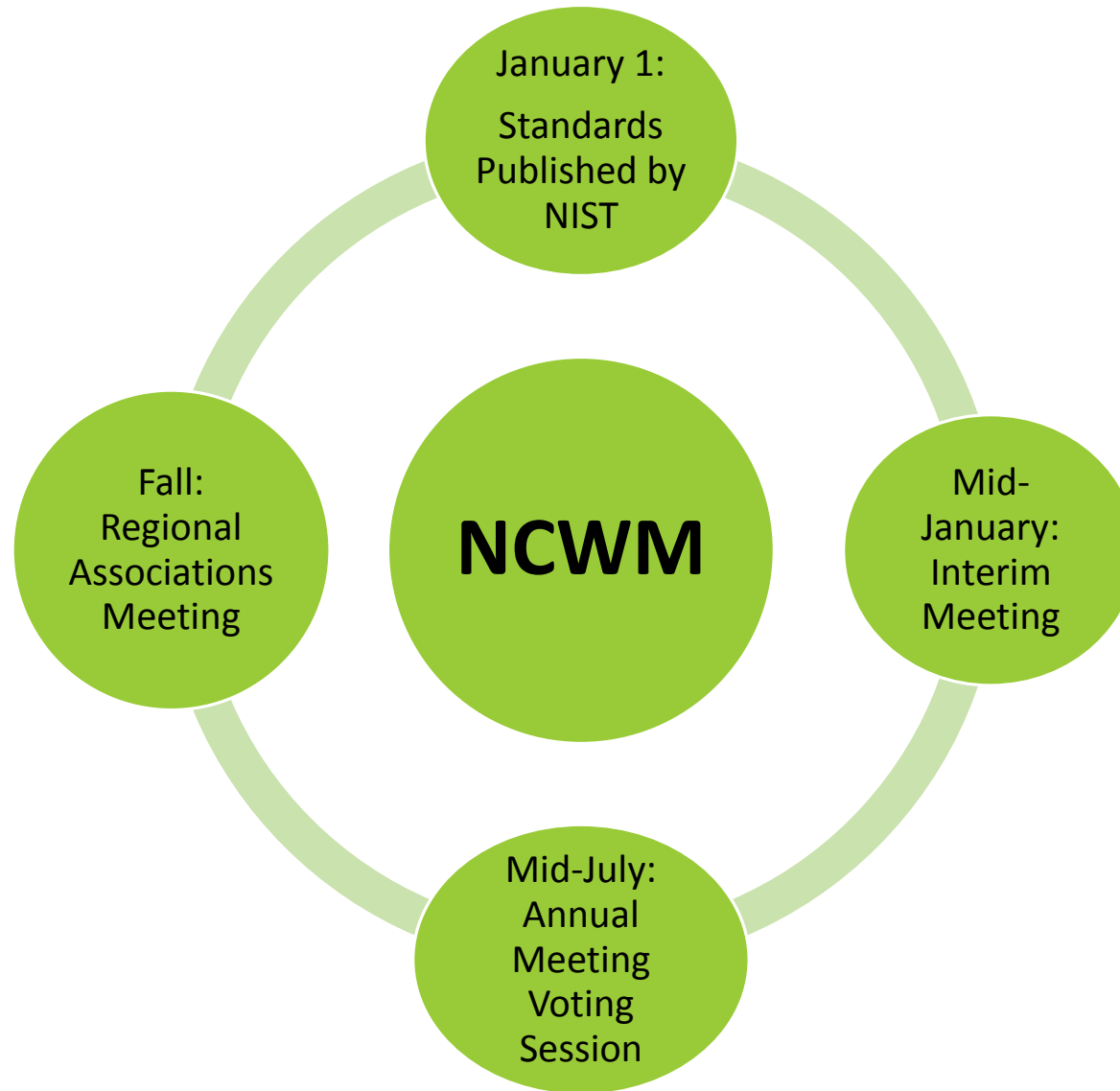
U.S. Weights and Measures Laws and Regulations

- No Federal Weights and Measures Law in the U.S.
- 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)
- California state and county officials, and industry sector members (scales, meters, petroleum) are active NCWM members
- Next NCWM meeting January 10 – 13, 2016 in San Diego, CA

U.S. Weights and Measures Laws and Regulations

- Within the U.S. Department of Commerce is the National Institute of Standards and Technology, Office of Weights and Measures (NIST 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

NCWM Standards Process



CA Weights and Measures Laws and Regulations

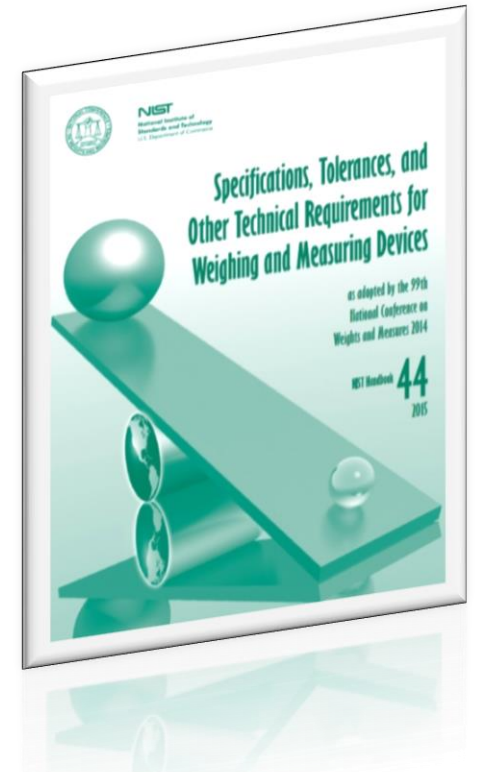
- Law: California Business and Professions Code, Division 5
- Regulations: California Code of Regulations, Title 4, Division 9
- Who to Enforce? State and 58 Counties
 - State: California Department of Food and Agriculture, Division of Measurement Standards (CDFA DMS)
 - State: Maintains standards (length, time, etc.), evaluates new types of measuring devices/systems, county oversight
 - Counties: Departments of Weights and Measures perform the majority of all field inspections

Adoption into Regulation: Two Methods

1. Business and Professions Code, Division 5, Section 12107 adopts NCWM Uniform Laws and Regulations by reference, or
2. Section 12107 also authorizes addition, modification, or rejection
 - Examples: Electric watt-hour meters, hydrogen dispensers
 - No NCWM Uniform Laws or Regulations for systems used by Transportation Network Companies exists
 - CDFA DMS is proposing a Transportation Network Systems (TNS) Code, using the California rulemaking process

NIST Handbook 44

- Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring (W&M) Devices
- When adopted by a jurisdiction, is used as a field enforcement manual
- Used by CDFA DMS for Type Evaluation of new makes/models of devices, e.g., taximeters
- Used by manufacturers when designing new devices or commercial measuring systems



Why Do California Regulations Now?

- No measurement standards exist for TNS in the U.S.
- National standards development is protracted process
- Unregulated Transportation Network Companies (TNCs) pose unfair competition to established industries within California
- California therefore needs to establish its own regulations for TNCs
- California is home to TNC technical experts and other stakeholders
- California standards are often offered and adopted by NCWM

Traditional Weights and Measures Requirements

- NIST Handbook 44 includes requires for:
 - Accuracy, Repeatability, Suitability, Indications, Representations, Prevention of 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

CA Weights and Measures Requirements for TNS

- When a code does not exist in NIST Handbook 44, California uses General Code G-A.3. for Special and Unclassified Equipment
- Type evaluation currently not performed by NCWM
- California has its own independent type evaluation program
- If a new type of device/system is developed – a new code (or amendment to existing code) is established by CDFA DMS

Basic Differences: TNS and Traditional Taximeters

- TNS are not Taximeters and are currently not regulated under weights and measures regulations
- Prearranged on-demand services cannot accept a street hail
- California distinguishes between prearranged/contract services and other transactions

Intermission for Presentation

National Institute of Standards and Technology
(NIST): U.S. National Work Group on Taximeters and
GPS Subcommittee

John Barton, NIST OWM

Overview

- TNS are not Taximeters and therefore not currently regulated
- New regulations are required
- Basic tenets of NIST Handbook 44 will be upheld:
 - Identification, Accuracy, Repeatability, Interchange of Parts, Mathematical Calculations, Indications, Representations, User Requirements

Request for Review of Draft CA Regulations

- All stakeholders are encouraged to read and comment on the draft California regulation
- Comments to CDFA DMS are requested by December 31, 2015

Questions?



Thank You!

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