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Code:  Section:

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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 5. WEIGHTS AND MEASURES [12001 - 13800]** ( *Division 5 added by Stats. 1939, Ch. 43.*  )

**CHAPTER 5.5. Service Agencies for Weighing and Measuring Devices [12531 - 12544]** ( *Chapter 5.5 repealed and added by Stats. 1999, Ch. 364, Sec. 2.*  )

**ARTICLE 2. Registration [12532 - 12534]** ( *Article 2 added by Stats. 1999, Ch. 364, Sec. 2.*  )

**12532.** (a) No person shall engage in business as a service agency unless the person is registered by the Secretary of Food and Agriculture pursuant to this chapter and unless the current registration fee and any penalty has been paid.

(b) Applications for registration shall be in writing on a form prescribed by the department, and shall be accompanied by the required fee.

(c) A service agency shall forward to the department the name or names of service agents employed by them, with the appropriate fees required by Section 12535.

(d) A device may only be placed in service by a sealer or a service agency. A device used by a public utility in connection with measuring gas, electricity, water, steam, or communication service subject to the jurisdiction of the Public Utility Commission is exempt from the requirements of this chapter.

(e) Except as provided in subdivision (f), no person who repairs a device is required to be registered if the device is placed into service by a sealer or service agency.

(f) Vapor measuring devices operating at greater than 11 inches water column shall be installed by a service agency.

(g) In the event of any change in the legal status of a registered service agency, the new legal entity shall obtain a new registration before operating as a service agency.

(h) A service agency may employ or designate a licensed service agent to act for the service agency and shall be responsible for all acts of that person.

(i) If a device has been altered in such a way as to facilitate fraud, a service agency or service agent shall report it to the county sealer within 24 hours of discovering that the device has been altered. If the service agency or service agent has possession of the device or any mechanism, component, software, or other device attached to or used in conjunction with the device that serves to facilitate fraud, the service agency or service agent shall surrender the device, mechanism, component, software, or other device to the county sealer or local law enforcement within 24 hours of discovering that the device has been altered.

(Amended by Stats. 2016, Ch. 329, Sec. 2. (AB 2307) Effective January 1, 2017.)

**12533.** Before the issuance of its registration or in order to maintain its current registration, a service agency shall do all of the following:

(a) (1) Possess, or have available for use, standards and testing equipment necessary to meet the minimum testing requirements contained in the "Notes" paragraphs of the specific device regulation set forth in Division 9 (commencing with Section 4000) of Title 4 of the California Code of Regulations, for each type of device for which the service agency is providing service.

(2) When applicable, the standards and testing equipment shall meet the specifications and tolerances published in the most current National Institute of Standards and Technology 105 Series Handbooks for Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures.

(b) Ensure that every service agent in its employ has a current service agent license.

(c) Possess a current copy of Division 9 (commencing with Section 4000) of Title 4 of the California Code of Regulations, Field Reference Manual.

(Amended by Stats. 2021, Ch. 525, Sec. 2. (AB 694) Effective January 1, 2022.)

**12534.** Commencing January 1, 2001, a service agency shall use suitable and sufficient standards that are permanently and uniquely identified, and have a current certificate of accuracy provided by the department or by a laboratory certified pursuant to Section 12314, in the determination of a correct device.

*(Repealed and added by Stats. 1999, Ch. 364, Sec. 2. Effective January 1, 2000.)*