



July 19, 2016

DMS NOTICE
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RETAIN

TO: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Registered Service Agencies and Registered Service Agents

The Division of Measurement Standards (DMS) is clarifying when a person is operating as a service agency and as a service agent.

- Any person¹ who accepts compensation for repair of a commercial device in exchange for payment is a service agency² and is required be registered as a service agency³.
- A person who is employed by a service agency to repair a commercial device is a service agent⁴ and is required to be registered as a service agent⁵ (by the service agency).
- A person who is working as a service agent must possess a current license⁶.
- A person who is working as a service agent but not registered by any service agency is operating as a service agency, and must obtain both a registration (as a service agency) and a license (as a service agent).

Furthermore, a service agency shall:

- Possess, use, and maintain standards and testing equipment necessary to meet the minimum testing requirements in the “Notes” section of the applicable specific device regulation set forth in Division 9 of Title 4 of the California Code of Regulations (CCR)⁷;
- Assure the standards and test equipment comply with NIST Handbook 105-series specifications⁸;
- Assure the standards are permanently and uniquely identified; and
- Have the current certificate of accuracy for the test equipment and standards provided by the department or other certified laboratory.

If a person is not compensated for repairing commercial devices, then they are exempt from these requirements. However, if a person is compensated for the repair of commercial devices, then they are now a service agency and they are required to register with DMS as a service agency and comply with all applicable codes and regulations.

Sincerely,

Kristin J. Macey
Director

cc: Gary Leslie, County/State Liaison, CDFA

¹ Business and Professions Code (BPC) [§12011](#)

² BPC [§12531\(a\)](#)

³ BPC [§12535](#)

⁴ BPC [§12531\(b\)](#)

⁵ BPC [§12535](#)

⁶ BPC [§12540](#)

⁷ BPC [§12533](#)

⁸ BPC [§12534](#)

