

Regulatory Advisory

June 7, 2018

FEDERALLY REGULATED BATTERY CHARGERS

I. Background

The California Appliance Efficiency Regulations (California Code of Regulations [CCR], Title 20, Sections 1601 to 1609) contain definitions, test methods, energy efficiency standards, certification requirements, and marking requirements for state-regulated battery charger systems and federally regulated battery chargers. In two separate rulemakings, the California Energy Commission is proposing to modify these regulations to align the state requirements with the U.S. Department of Energy's requirements for these products. (See [Docket #18-AAER-02](#) [Appliance Efficiency Standards Rulemaking for Portable Electric Spas and Battery Chargers]; [Docket #18-AAER-10](#) [Amendments to Title 20 Appliance Efficiency Regulations Rulemaking].)

This regulatory advisory applies to two types of products:

1. *Federally regulated battery chargers* are battery chargers manufactured on or after June 13, 2018, to which a federal efficiency standard applies. A federally regulated battery charger is defined as, "a device that charges batteries for consumer products, including battery chargers embedded in other consumer products." (10 C.F.R. § 430.2; see also 10 C.F.R. § 430.32(z) for efficiency standards.) Examples include cell phone battery chargers, electric toothbrush battery chargers (wet-inductive), and power tool battery chargers. Under federal law, the date of manufacture means either the date of manufacture if manufactured in the United States, or the date of import into the United States. (10 C.F.R. § 430.2, definition of "manufacture.")
2. *State-regulated small battery charger systems* are products meeting California's definition for a "small battery charger system" and that are not federally regulated battery chargers. Examples include forklift battery chargers, dry-inductive battery chargers, and battery chargers for nonconsumer products. Small battery charger systems are defined in Section 1602(w) of Title 20 of the CCR. This regulatory advisory is not applicable to state-regulated battery charger systems that are battery backups or non-federally regulated uninterruptible power supplies.

II. Testing

In Docket #18-AAER-10, the Energy Commission proposes to modify the testing requirements for state-regulated small battery charger systems, other than backup battery chargers and non-federally regulated uninterruptible power supplies, to align

with the current federal test procedures for federally regulated battery chargers.¹ However, these changes will not become effective until January 1, 2019. Therefore, Energy Commission staff will not refer for enforcement any state-regulated small battery charger systems that are tested on or after the issuance of this regulatory advisory using the current federal test procedure.²

Manufacturers may continue to use the existing state test procedure³ for state-regulated small battery charger systems until the effective date of the Amendments to Title 20 Appliance Efficiency Regulations Rulemaking, anticipated to be January 1, 2019. At that time, manufacturers must use the test procedure as it is specified in the CCR.

III. Certification

In Docket #18-AAER-10, the Energy Commission proposes to modify the certification requirements for federally regulated battery chargers to add a new appliance sub-type and new fields for certification.⁴ Federally regulated battery chargers become covered by the U.S. Department of Energy on June 13, 2018; however, the Energy Commission anticipates that the changes to the California regulations will not take effect until January 1, 2019. Therefore, Energy Commission staff will not refer for enforcement any federally regulated battery chargers that are not certified to the Modernized Appliance Efficiency Database System (MAEDbS) before the effective date of the proposed regulations, anticipated to be January 1, 2019.

Manufacturers may voluntarily certify federally regulated battery chargers to MAEDbS using the new appliance sub-type on or after June 13, 2018.

Beginning January 1, 2019, all federally regulated battery chargers must appear in MAEDbS to be lawful for sale or offer for sale in California. Products not included in the federal scope that meet the definition of a battery charger system will remain regulated as state-regulated battery charger systems and may be referred for enforcement if they are not certified to MAEDbS.

IV. Marking

In Docket #18-AAER-02, the Energy Commission adopted regulatory changes to modify the marking requirements for battery chargers to require that only state-regulated

¹ See Proposed Regulatory Language, Amendments to Title 20 Appliance Efficiency Rulemaking (Docket #18-AAER-10) , p. 121 (proposing modifications to 20 CCR § 1604(w)), available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-10>

² 10 C.F.R. § 430.23(aa) and Appendix Y to Subpart B of Part 430 (Jan. 1, 2017).

³ See 20 CCR § 1604(w), incorporating for small battery charger systems 10 C.F.R. § 430.23(aa) and Appendix Y to Subpart B of Part 430 as it existed on January 1, 2016.

⁴ See Proposed Regulatory Language, Amendments to Title 20 Appliance Efficiency Rulemaking (Docket #18-AAER-10) , p. 284 (proposing modifications to 20 CCR § 1606(a)(3), Table X, part W), available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-10>.

battery charger systems be marked with a “BC” inside of a circle.⁵ Federally regulated battery chargers become covered by the U.S. Department of Energy on June 13, 2018; however, the Energy Commission anticipates that the changes to the California regulations will not take effect until October 1, 2018, after they are approved by the Office of Administrative Law. Therefore, Energy Commission staff will not refer for enforcement federally regulated battery chargers manufactured on or after June 13, 2018, that are not marked with a (BC).

State-regulated battery charger systems must continue to comply with the requirement to mark the device with a “BC” inside of a circle, as required under Section 1607(d)(10) of Title 20 of the CCR.

V. Effective Period

This regulatory advisory will remain in effect until the effective date of the regulations proposed in Docket #18-AAER-02 and Docket #18-AAER-10. If the regulations are not adopted by the Energy Commission or approved by the Office of Administrative Law, the Energy Commission will publish additional guidance to provide clarity to manufacturers of these products.

For more information

To obtain a copy of the regulations or other related compliance assistance documents, visit the Appliance Efficiency Program website at <http://www.energy.ca.gov/appliances>. Additional questions may be addressed by calling the Appliances Title 20 Compliance Assistance Call Center, toll free inside California at (888) 838-1467, or outside California at (916) 651-7100, or by emailing appliances@energy.ca.gov.

⁵ See Proposed Regulatory Language (15-day language), p. 10 (proposing modifications to 20 CCR § 1607(d)(10)), available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-02>.