

**State of California  
Office of Administrative Law**

In re:  
Contractors State License Board .

Regulatory Action:

Title 16, California Code of Regulations

Amend sections: 810, 832.10, 832.46

NOTICE OF APPROVAL OF REGULATORY  
ACTION

Government Code Section 11349.3

OAL Matter Number: 2024-0423-01

OAL Matter Type: Regular (S)

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This action amends the scope of work for two specialty license classifications—Class C-10 (electrical contractor) and Class C-46 (solar contractor)—as it relates to the installation of photovoltaic solar energy systems and battery energy storage systems.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on October 1, 2024.

Date: June 5, 2024



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Nicole C. Carrillo  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: David R. Fogt, Registrar  
Copy: Mike Jamnetski

# REGULAR

STD. 400 (REV. 10/2019)

For use by Secretary of State only

<b>OAL FILE NUMBERS</b>	NOTICE FILE NUMBER <b>Z- 2023-0606-11</b>	REGULATORY ACTION NUMBER <b>2024-0423-015</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
OFFICE OF ADMINISTRATIVE LAW  <b>Electronic Submission</b>		OFFICE OF ADMIN. LAW 2024 APR 23 PM 2:45	
RECEIVED DATE 06/06/2023	PUBLICATION DATE 06/16/2023		
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Contractors State License Board			AGENCY FILE NUMBER (If any)

**ENDORSED - FILED**  
 In the office of the Secretary of State  
 of the State of California

**JUN 05 2024**  
*1:49 PM*

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE Battery Energy Storage Systems		TITLE(S) 16	FIRST SECTION AFFECTED 810	2. REQUESTED PUBLICATION DATE June 16, 2023
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Diana Godines	TELEPHONE NUMBER 916-255-0541	FAX NUMBER (Optional) 916-364-0130
<b>OAL USE ONLY</b>	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2023, 24-2	PUBLICATION DATE 6/16/23

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Battery Energy Storage Systems		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 25, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
TITLE(S) 16		AMEND 810, 832.10, 832.46	
3. TYPE OF FILING		REPEAL	
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100 ) <input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input checked="" type="checkbox"/> Other (Specify) Kimberly Kirchmeyer, Director, Department of Consumer Affairs <i>Kimberly Kirchmeyer</i>			
7. CONTACT PERSON Mike Jamnetski		TELEPHONE NUMBER 916.255.2798	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) michael.jamnetski@cslb.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>DR Fogt</i>	DATE 4-23-2024
TYPED NAME AND TITLE OF SIGNATORY David R. Fogt, Registrar	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

**JUN 05 2024**

**Office of Administrative Law**

**CONTRACTORS STATE LICENSE BOARD**

**ORDER OF ADOPTION**

**California Code of Regulations (CCR)  
Title 16, Division 8**

**Legend:** Added text is indicated with an underline.  
Deleted text is indicated by ~~strikeout~~.

**Amend Section 810, Article 1, Division 8, Title 16, CCR, as follows:**

**§ 810. Definitions**

(a) For purposes of this division, “battery energy storage system” means one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time.

(b) For the purposes of this ~~chapter~~division, “Board” means the Contractors State License Board and “Code,” unless otherwise defined, means the Business and Professions Code.

Note: Authority cited: Section 7008, Business and Professions Code. Reference: Section 7008, Business and Professions Code.

**Amend Section 832.10, Article 3, Division 8, Title 16, CCR, as follows:**

**§ 832.10. Class C-10 - Electrical Contractor**

An electrical contractor places, installs, erects or connects any electrical wires, fixtures, appliances, apparatus, raceways, conduits, battery energy storage systems, ~~solar photovoltaic solar energy systems~~ cells or any part thereof, which generate, transmit, transform or utilize electrical energy in any form or for any purpose.

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code. Reference: Sections 7058 and 7059, Business and Professions Code.

**Amend Section 832.46, Article 3, Division 8, Title 16, CCR, as follows:**

**§ 832.46. Class C-46 - Solar Contractor**

(a) A solar contractor installs, modifies, maintains, and repairs thermal and photovoltaic solar energy systems. A licensee classified in this section shall not undertake or perform building or construction trades, crafts, or skills, except when required to install a thermal or photovoltaic solar energy system.

(b) For the purposes of this section, a battery energy storage system, as defined in section 810, shall not be considered part of a photovoltaic solar energy system or required to install a photovoltaic solar energy system. Except as provided in subdivision (c), a licensee classified in this section shall not install, connect, modify, maintain, or repair a battery energy storage system.

(c) For purposes of Section 7059 of the Code and this division, a licensee classified in this section may install a battery energy storage system as "incidental and supplemental" to the installation of a photovoltaic solar energy system if the battery energy storage system does not exceed a rating of 80 kilowatt-hours (kWh).

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.  
Reference: Sections 7058 and 7059, Business and Professions Code.