



# CONTRACTORS STATE LICENSE BOARD

BATTERY ENERGY STORAGE SYSTEMS  
JANUARY 26, 2022 LEGISLATIVE COMMITTEE WEBSITE CONTENT

## Addendum to Page 93 of January 26, 2022, Legislative Committee Packet

The CSLB staff proposed regulatory concept language would authorize the C46 classification to install battery energy storage systems when paired with a photovoltaic system on specified residential and light commercial structures. **The CSLB staff concept language is below.**

The IBEW-NECA proposed concept regulatory language would authorize the C46 classification to install battery energy storage systems when paired with a photovoltaic system based on specified energy thresholds. The IBEW-NECA concept language can be found here: [https://www.cslb.ca.gov/Media\\_Room/Board\\_and\\_Committee\\_meetings/](https://www.cslb.ca.gov/Media_Room/Board_and_Committee_meetings/)

Staff does not expect the Legislative Committee to vote on any regulatory language at the January 26 Committee Meeting.

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## CSLB Staff Alternative BESS Regulatory Proposal Provided to Stakeholders on January 7, 2022

### § 810. Definitions

(a) For purposes of this division, “battery energy storage system” means a rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, and associated electrical equipment designed to provide electrical power to a building. A battery energy storage system is used to provide standby or emergency power, and uninterruptable power supply, load shedding, load sharing or similar capabilities.

(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.



### § 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 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.

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

(a) A solar contractor installs, modifies, maintains, and repairs thermal and photovoltaic solar energy systems.

(b) 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.

(c) For the purposes of this section, a battery energy storage system, as defined in section 810, shall not be considered part of, or required in the installation of, a photovoltaic solar energy system. A licensee classified in this section shall not install, connect, modify, maintain, or repair a battery energy storage system unless that installation, connection, modification, maintenance, or repair complies with paragraph (d) of this section.

(d) A licensee classified in this section may install, connect, modify, maintain, or repair a battery energy storage system in the following applications:

(1) In, on, or around detached one and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto that are subject to Section 1.1 of the California Residential Code, Title 24, Part 2.5.

(2) In, on, or around buildings or structures or portions thereof that are designated as or can be classified as Business Group "B" occupancies as described by Section 304.1 of California Building Code, Title 24, Part 2.



(3) In, on, or around a building or tenant space used for assembly purposes with an occupant load of less than 50 persons pursuant to Section 303.1.1 of California Building Code, Title 24, Part 2.

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

Reference: Sections 7058 and 7059, Business and Professions Code.

### **§ 831. Incidental and Supplemental Defined.**

(a) For purposes of Section 7059, work in other classifications is “incidental and supplemental” to the work for which a specialty contractor is licensed if that work is essential to accomplish the work in which the contractor is classified. A specialty contractor may use subcontractors to complete the incidental and supplemental work, or he may use his own employees to do so.

(b) For purposes of Section 7059 of the Code and this division, installation, connection, modification, maintenance, or repair of a battery energy storage system, as defined in section 810, is not “incidental and supplemental” to the work performed by a licensee classified as a C-46 Solar Contractor pursuant to section 832.46, except in the circumstances described in paragraph (d) of section 832.46.

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

Reference: Sections 7058 and 7059, Business and Professions Code.