

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

SENATE BILL NO. 2039
(Legislative Council)
(Government Organization Committee)

AN ACT to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to fees collected by the public service commission for testing or calibrating weighing and measuring devices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 64-02-10 of the North Dakota Century Code is amended and reenacted as follows:

64-02-10. Fees to test or calibrate weighing and measuring devices. The commission shall collect the following fees to:

- | | | |
|---------------------------|--|-------------|
| 1. | Test railroad track or truck scale | \$97.00 |
| 2. | Test livestock and vehicle scale | 97.00 |
| 3. | Test livestock scale if the sales
ring or buying station scale owner
transports to the scale and furnishes
all test weights and manpower needed
to properly test the scale | 55.00 |
| 4. | Test auxiliary beam on livestock,
motor truck, motor truck dump scale | 19.00 |
| 5. | Test overhead monorail, track, hopper,
dormant, deck, and hanging scale | 43.00 |
| 6. | Test movable platform scale | 8.00 |
| 7. | Test counter or computing scale | 8.00 |
| 8. | <u>Test hanging scale of fifty pound</u>
<u>[22.68 kilograms] capacity</u>
<u>or less</u> | <u>8.00</u> |
| 9. | Test board of cloth measure | 8.00 |
| 9. <u>10.</u> | Test liquid or gas computing pump
<u>a retail motor fuel device</u> | 8.00 |
| 10. <u>11.</u> | Test or calibrate weighing and measuring
standards, per metrologist, per quarter | |

	hour or fraction thereof	12.50
44. 12.	Test mobile delivery gasoline and fuel oil meter	19.00
42. 13.	Test gasoline, LPG, or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances	43.00
43. 14.	Test propane, ag chemical, or liquid fertilizer meter	31.00
44. 15.	Test truck tank	61.00
45. 16.	Test crane scale	61.00
46. 17.	Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof	9.00
47. 18.	Witnessing any of the above tests	Fifty percent of the applicable fee

When a rejected weighing or measuring device has been reconditioned or replaced by new equipment, it must be retested and certified before being put into use except as otherwise provided by rule. The fee for retest and certification is the same as for the first test and certification.

When a test of a weighing or measuring device is required in addition to the regularly scheduled annual test, ~~a the commission shall charge of sixty cents per mile [1.61 kilometers] will be made unless a fee equal to the cost of operating the motor vehicle, including the testing equipment necessary to perform the test weighs less than ten thousand pounds [4535.92 kilograms] gross. If the motor vehicle weighs less than ten thousand pounds [4535.92 kilograms] gross, a charge of thirty five cents per mile [1.61 kilometers] will be made, and all used in conducting the test. The mileage charges are, as determined by the commission, must be in addition to the regular test fee and calculated to cover the costs of the additional travel. Where a test has been requested and the person requesting it fails to appear or to have the weighing or measuring device ready for testing at the arranged time, there is a charge of nine dollars a quarter hour for the time between the arranged time and the time at which the test can begin.~~

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2039.

Senate Vote: Yeas 44 Nays 0 Absent 5

House Vote: Yeas 93 Nays 3 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State