

WEIGHTS, MEASURES, AND GRADES

CHAPTER 526

SENATE BILL NO. 2039

(Legislative Council)

(Government Organization Committee)

WEIGHING AND MEASURING DEVICE TESTING FEES

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:

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| 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> | |

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| | <u>or less</u> | <u>8.00</u> |
| 9. <u>9.</u> | 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 |
| 40. <u>11.</u> | Test or calibrate weighing and measuring standards, per metrologist, per quarter hour or fraction thereof | 12.50 |
| 44. <u>12.</u> | Test mobile delivery gasoline and fuel oil meter | 19.00 |
| 42. <u>13.</u> | 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. <u>14.</u> | Test propane, ag chemical, or liquid fertilizer meter | 31.00 |
| 44. <u>15.</u> | Test truck tank | 61.00 |
| 45. <u>16.</u> | Test crane scale | 61.00 |
| 46. <u>17.</u> | 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. <u>18.</u> | 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.

Approved March 11, 1997

Filed March 13, 1997