

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2077**

Introduced by

Government and Veterans Affairs Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 64-02-02 and subsection 1 of section 64-02-07  
2 of the North Dakota Century Code, relating to the installation of weighing or measuring devices  
3 and the maintenance of state weights and measures standards.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

7 **64-02-02. Weights and measures - Supervision by public service commission -**  
8 **Installation of scales weighing or measuring devices under special variance permit.** All  
9 weighing or measuring devices in this state must be supervised and controlled by the  
10 commission. ~~Permits~~ A variance permit for the installation or relocation of ~~scales~~ a device  
11 deviating from requirements under this chapter may be issued by the commission when the  
12 ~~scale device~~ meets service requirements within accepted tolerances. ~~Applications for a permit~~  
13 ~~authorizing deviations must~~ The commission may request that an application for a variance  
14 permit include complete construction plans and a statement of the specific reasons why  
15 deviations are necessary or desirable. The commission may impose limitations or conditions  
16 on the construction and use of ~~scales~~ any weighing or measuring device.

17 **SECTION 2. AMENDMENT.** Subsection 1 of section 64-02-07 of the North Dakota  
18 Century Code is amended and reenacted as follows:

19 1. Maintain the calibration of the state weights and measures standards that are  
20 traceable to the United States standards. All secondary standards must be  
21 calibrated by ~~the commission~~ a national institute of standards and  
22 technology-recognized metrology laboratory as often as the commission deems  
23 necessary.