

WEIGHTS, MEASURES, AND GRADES

CHAPTER 449

H. B. No. 763

(Olson, Hertz, Kvasager, Streibel, Johnson (Slope), Aamoth)

FEES

AN ACT

To amend and reenact section 64-02-10 of the 1963 Supplement to the North Dakota Century Code, relating to the increase in fees to be charged for inspecting livestock scales and providing for an increase of five cents per mile whenever special inspection of any measuring device is required.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 64-02-10 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

64-02-10. Fee Schedule for Inspection of Weighing and Measuring Devices.) The chief inspector or other employee of the department of weights and measures shall charge and collect fees in accordance with the following schedule:

For inspecting railroad and track scale of capacity of twenty tons and upwards	\$15.00
For inspecting vehicle scales and livestock scales to forty thousand pounds capacity and under	8.00
For inspecting vehicle scales and livestock scales forty thousand and one pounds capacity and over	14.00
For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the Federal Department of Agriculture	20.00
For inspecting livestock scales under the jurisdiction of Packers and Stockers Act of the Federal Department of Agriculture, wherein the discretion of the chief inspector or his employee, 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	14.00

For inspecting road construction truck scales	24.00
For inspecting dormant scales, less than eight thousand pounds capacity or hopper scales, each	6.00
For inspecting movable platform scales	1.50
For inspecting all counter and computing scales ..	1.50
For inspecting every patent balance, beam steel yard, or other instrument used for weighing other than the above enumerated, each	1.25
For inspecting any two bushel or one bushel measure50
For inspecting any other dry measure, each25
For inspecting any liquid measure or computing pump	3.25
For each inspection of any liquid measure or computing pump in addition to the regularly scheduled annual inspection, including inspections made for new equipment which replaces a rejected measuring device	1.25
For inspecting liquid measures of five gallons or less capacity, each50
For inspecting gasoline and fuel oil meters	8.00
For inspecting gasoline and fuel oil meters on common carrier pipelines, and any other meters used in loading railway cars, transports or other conveyances	25.00
For inspecting any tank under five hundred gallons	10.00
For inspecting propane meters	10.00
For inspecting any board of cloth measure, each ..	.25
For calibrating truck tanks of one thousand gallons capacity and under	10.00
Truck tanks between one thousand gallons and two thousand gallons	15.00
Truck tanks between two thousand gallons and three thousand gallons	20.00
Truck tanks between three thousand gallons and four thousand gallons	25.00

Truck tanks between four thousand gallons and five thousand gallons	30.00
Truck tanks between five thousand gallons and six thousand gallons	35.00
Truck tanks above six thousand gallons	40.00

Where a rejected weighing and measuring device has been reconditioned or replaced by new equipment, the same must be reinspected and a certificate issued before being put into use, and except as otherwise provided above, the fee charged for such reinspection and certification shall be the same as for the first inspection and certification. When the inspector or other employee of the department of weights and measures shall find any of the instruments or articles used in weighing or measuring to be wrongly adjusted or out of repair, it shall be his duty to see that such scale or measure is corrected, and if the inspector or other employee of the department of weights and measures corrects such scale or measure he shall collect six dollars per hour for the actual time consumed in making such corrections, and shall receive reasonable compensation for any material used in such corrections.

Whenever a special inspection of any measuring device is required, in addition to the regularly scheduled annual inspection made by the department, a charge of fifteen cents per mile will be made unless the motor vehicle, including the testing equipment necessary to perform such special inspection, shall weigh less than 7500 pounds gross. In the event such motor vehicle shall weigh less than 7500 pounds gross a charge of 10 cents per mile will be made, and all such mileage charges shall be in addition to the regular inspection fee to cover the costs of the additional travel by the inspector occasioned by such special inspection. Where a special inspection has been requested and the person requesting such special inspection fails to appear at the arranged hour, or fails to have the scale or measure in readiness for inspection at the arranged hour, there shall be a charge of ten dollars an hour for the time interval between the arranged hour and the hour at which the inspection can be commenced.

Approved March 17, 1965.

CHAPTER 450

H. B. No. 762

(Olson, Hertz, Olienyk, Belquist, Johnson (Slope), Aamoth,) (Hoffner, Bilden, Streibel)

TESTING OF MILK TANK EQUIPMENT

AN ACT

To amend and reenact section 64-02-13 of the North Dakota Century Code, relating to the inspection and testing of farm milk tank equipment by the department of weights and measures of the public service commission and providing for adoption of standards and the payment of the costs for inspection and testing.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 64-02-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

64-02-13. Employees of Department to Test Weights and Measuring Devices Annually.) The chief inspector or any other employee of the department may test:

1. Any scale, weight, beam, or measure of any kind;
2. Any instrument or mechanical device for measurement;
or
3. Any tool, appliance, or accessory connected with any instrument for measuring,

if the same is kept, offered, used, or employed, or is offered for sale or sold for the purpose of being used or employed, by any person in determining the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption which may be offered or submitted by any person for sale, hire, or reward. Weights, measures, and all other apparatus hereinbefore described used in the state shall be inspected at least once in each year and if upon inspection they correspond with the standards in the possession of the department, they shall be sealed with the proper devices to be approved by the chief inspector; except that inspections and testing of farm milk tank equipment shall be made only upon a complaint received by the department specifying that such equipment is in a faulty condition, or when such testing or inspections are deemed to be necessary in the discretion of the chief inspector. Upon receipt of a complaint, the chief inspector shall cause such equipment to

be tested and inspected within a reasonable period of time, and in the case where, as a result of such testing and inspection, the equipment is determined to be in accordance with the standards in the possession of the department, the cost of such inspection and testing shall be paid by the complainant; and in all other cases the cost of such testing and inspection shall be paid by the owner of the equipment.

Approved March 8, 1965.