

WEIGHTS, MEASURES, AND GRADES

CHAPTER 612

SENATE BILL NO. 2219

(Agriculture Committee)

(At the request of the Public Service Commission)

WEIGHTS AND MEASURE CALIBRATION FEES

AN ACT to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fees to test or calibrate weighing and measuring devices; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 64-02-10 of the 1991 Supplement to 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 scale | \$80.00 | <u>\$88.00</u> |
| 2. Test livestock or vehicle scale eight thousand pounds [3628.74 kilograms] capacity and under | 35.00 | <u>39.00</u> |
| 3. Test livestock and vehicle scale over eight thousand pounds [3628.74 kilograms] capacity | 80.00 | <u>88.00</u> |
| 4. Test livestock scale under the jurisdiction of Packers and Stockers Act of the federal department of agriculture | 80.00 | <u>88.00</u> |
| 5. Test livestock scale under the jurisdiction of Packers and Stockers Act of the federal department of agriculture, 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 | 45.00 | <u>50.00</u> |
| 6. Test auxiliary beam on livestock, motor truck, motor truck dump scale | 15.00 | <u>17.00</u> |
| 7. Test road construction truck scale | 80.00 | <u>88.00</u> |
| 8. Test road construction hopper scale, six thousand and one pounds [2722.01 kilograms] capacity and over | 35.00 | <u>39.00</u> |
| 9. Test overhead track, hopper, | | |

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| | dormant, and hanging scale six thousand pounds [2721.55 kilograms] | |
| | capacity and over | 35.00 39.00 |
| | Test overhead track, dormant, hanging, and hopper scale five thousand nine hundred ninety-nine pounds [2721.10 kilograms] and less capacity | 20.00 22.00 |
| 10. | Test movable platform scale | 6.00 7.00 |
| 11. | Test counter or computing scale | 6.00 7.00 |
| 12. | Test every patent balance, beam steel yard, or other instrument used for weighing other than the above | 6.00 7.00 |
| 13. | Test two-bushel [70.48-liter] or one-bushel [35.24-liter] measure | 6.00 7.00 |
| 14. | Test other dry measure | 6.00 7.00 |
| 15. | Test board of cloth measure | 6.00 7.00 |
| 16. | Test liquid measure or gas computing pump | 6.00 7.00 |
| 17. | Test liquid measure or gas computing pump in addition to the regularly scheduled annual inspection, including inspections made for new equipment which replaces a rejected measuring device | 6.00 7.00 |
| 18. | Test liquid measures of five gallons [18.93 liters] or less capacity <u>or calibrate weighing and measuring</u> <u>standards, per quarter hour or fraction</u> <u>thereof</u> | 6.00 12.50 |
| 19. | Test mobile delivery gasoline and fuel oil meter | 15.00 17.00 |
| 20. | Test gasoline or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances | 35.00 39.00 |
| 21. | Test propane or liquid fertilizer meter | 25.00 28.00 |

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| 22. | Test truck tank of one thousand gallons [3785.41 liters] capacity and under | 30.00 | <u>33.00</u> |
| | Test truck tank between one thousand and one gallons [3789.10 liters] and six thousand gallons [22712.47 liters] | 40.00 | <u>44.00</u> |
| | Test truck tank above six thousand gallons [22712.47 liters] | 50.00 | <u>55.00</u> |
| 23. | Test crane scale six thousand pounds [2721.55 kilograms] and less capacity | 30.00 | <u>33.00</u> |
| | Test crane scale six thousand and one pounds [2722.01 kilograms] capacity and over | 50.00 | <u>55.00</u> |
| 24. | Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof | 7.50 | <u>8.00</u> |

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 charge of ~~fifty~~ fifty-five cents per mile [1.61 kilometers] will be made unless 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 ~~twenty-five~~ thirty cents per mile [1.61 kilometers] will be made, and all mileage charges are in addition to the regular test fee 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 ~~seven dollars and fifty cents~~ eight dollars a quarter hour for the time between the arranged time and the time at which the test can begin.

SECTION 2. AMENDMENT. Section 64-02-10 of the 1991 Supplement to 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 scale | \$80.00 | <u>\$97.00</u> |
| 2. | Test livestock or vehicle scale eight thousand pounds [3628.74 kilograms] capacity | | |

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| | and under | 35.00 <u>43.00</u> |
| 3. | Test livestock and vehicle scale over eight thousand pounds [3628.74 kilograms] capacity | 80.00 <u>97.00</u> |
| 4. | Test livestock scale under the jurisdiction of Packers and Stockers Act of the federal department of agriculture | 80.00 <u>97.00</u> |
| 5. | Test livestock scale under the jurisdiction of Packers and Stockers Act of the federal department of agriculture, 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 | 45.00 <u>55.00</u> |
| 6. | Test auxiliary beam on livestock, motor truck, motor truck dump scale | 15.00 <u>19.00</u> |
| 7. | Test road construction truck scale | 80.00 <u>97.00</u> |
| 8. | Test road construction hopper scale, six thousand and one pounds [2722.01 kilograms] capacity and over | 35.00 <u>43.00</u> |
| 9. | Test overhead track, hopper, dormant, and hanging scale six thousand pounds [2721.55 kilograms] capacity and over | 35.00 <u>43.00</u> |
| | Test overhead track, dormant, hanging, and hopper scale five thousand nine hundred ninety-nine pounds [2721.10 kilograms] and less capacity | 20.00 <u>24.00</u> |
| 10. | Test movable platform scale | 6.00 <u>8.00</u> |
| 11. | Test counter or computing scale | 6.00 <u>8.00</u> |
| 12. | Test every patent balance, beam steel yard, or other instrument used for weighing other than the above | 6.00 <u>8.00</u> |
| 13. | Test two-bushel [70.48-liter] or one-bushel [35.24-liter] measure | 6.00 <u>8.00</u> |
| 14. | Test other dry measure | 6.00 <u>8.00</u> |
| 15. | Test board of cloth measure | 6.00 <u>8.00</u> |

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| 16. | Test liquid measure or gas computing pump | 6-00 | 8.00 |
| 17. | Test liquid measure or gas computing pump in addition to the regularly scheduled annual inspection, including inspections made for new equipment which replaces a rejected measuring device | 6-00 | 8.00 |
| 18. | Test liquid measures of five gallons [18.93 liters] or less capacity or calibrate weighing and measuring standards, per quarter hour or fraction thereof | 6-00 | 12.50 |
| 19. | Test mobile delivery gasoline and fuel oil meter | 15-00 | 19.00 |
| 20. | Test gasoline or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances | 35-00 | 43.00 |
| 21. | Test propane or liquid fertilizer meter | 25-00 | 31.00 |
| 22. | Test truck tank of one thousand gallons [3785.41 liters] capacity and under Test truck tank between one thousand and one gallons [3789.10 liters] and six thousand gallons [22712.47 liters] Test truck tank above six thousand gallons [22712.47 liters] | 30-00 40-00 50-00 | 36.00 48.00 61.00 |
| 23. | Test crane scale six thousand pounds [2721.55 kilograms] and less capacity Test crane scale six thousand and one pounds [2722.01 kilograms] capacity and over | 30-00 50-00 | 36.00 61.00 |
| 24. | Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof | 7-50 | 9.00 |

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 charge of ~~fifty~~ sixty cents per mile [1.61 kilometers] will be made unless 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 ~~twenty-five~~ thirty-five cents per mile [1.61 kilometers] will be made, and all mileage charges are in addition to the regular test fee 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 ~~seven dollars and fifty cents~~ nine dollars a quarter hour for the time between the arranged time and the time at which the test can begin.

SECTION 3. EFFECTIVE DATE. Section 2 of this Act becomes effective July 1, 1994.

SECTION 4. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 1994, and after that date is ineffective.

Approved March 24, 1993
Filed March 25, 1993