CHAPTER 64-03
GENERAL PROVISIONS

64-03-01. False weights and measures.

It is unlawful for any person to:

1. Offer or expose for sale, sell, use, or possess a false weighing or measuring device, for use in buying or selling any commodity or thing, or any weighing or measuring device which has not been sealed as provided by section 64-02-13.
2. Dispose of any condemned weighing or measuring device, or remove any tag placed thereon by the commission.
3. Sell, offer, or expose for sale less than the quantity represented.
4. Sell, offer for sale, or possess for the purpose of selling, any device or instrument to be used or designed to falsify any weighing or measuring device.
5. Refuse to pay any fee charged for testing or calibrating and sealing or condemning any weighing or measuring device.

64-03-02. False weights - Unlawful for public use.

It is unlawful for any person to knowingly and fraudulently use a weighing or measuring device, or keep a device for public use, which does not conform to the legal standard of weights and measures of the state, or to alter a weighing or measuring device after it has been tested or calibrated and sealed so that it does not conform to the standard.

64-03-03. Fraudulently increasing weight.

It is unlawful for any person to place or conceal with any goods usually sold by weight any foreign substance for the purpose of increasing the apparent weight of the goods.

64-03-04. Baled hay - Correct weight - Violation.

Repealed by S.L. 1975, ch. 106, § 673.

64-03-05. Fuel required to be weighed - Correct scale weight - Slip delivered.

Repealed by S.L. 1989, ch. 764, § 31.

64-03-06. Stamping incorrect weight or tare.

It is unlawful for any person to knowingly mark or stamp an incorrect weight or tare on any package, or to knowingly sell or offer for sale any package so marked.

64-03-07. Violation of provisions relating to standard measurements and weights unlawful.

It is unlawful for any buyer to take a greater quantity than is provided by the standards established in this title, or any seller to give a lesser quantity, unless both parties to the sale have actual knowledge of the variation from the standards.

64-03-08. Penalty for hindering an inspector in official duties.

Repealed by S.L. 1975, ch. 106, § 673.

64-03-09. General penalty.

Any person who violates any of the provisions of this title for which a specific penalty has not been provided is guilty of a class B misdemeanor.

64-03-10. Duty of officer to seize false weighing and measuring devices.

An officer arresting any person for a violation of any provision of this title shall seize any false weighing or measuring device in the possession of the person arrested and shall deliver it to the magistrate before whom the person is taken.

64-03-11. Duty of state's attorney.

After the conviction of any person for violating any provision of this title, the state's attorney shall cause to be destroyed any false weighing or measuring device involved in the violation.

64-03-12. Duty of magistrate.

The magistrate to whom any weighing or measuring device is delivered under section 64-03-10 shall request the commission to test it and, if found to be false, the commission shall destroy it or deliver it to the state's attorney of the county in which the accused is prosecuted.