

**CHAPTER 38-06-05  
CERTIFICATION OF PORTABLE SCALES**

Section

38-06-05-01      Certification  
38-06-05-02      Recertification

**38-06-05-01. Certification.**

Portable vehicle scales utilized for law enforcement purposes must be tested by an agent of the North Dakota highway patrol or a registered service person or company prior to being utilized for enforcement purposes. A portable vehicle scale utilized for enforcement purposes may be certified by the highway patrol or a registered service person or company. The highway patrol may certify scales used for enforcement purposes by actual testing of the device or by witnessing the test. The highway patrol will maintain a record of certification of portable vehicle scales utilized for law enforcement purposes.

The device utilized by the highway patrol or registered service person or company for the certification of portable vehicle scales should be one that is certified annually by a facility that has practices and standards that are traceable to the national institute of standards and technology, an agency of the United States department of commerce.

**History:** Effective July 1, 2013.  
**General Authority:** NDCC 39-12-02  
**Law Implemented:** NDCC 39-12-07

**38-06-05-02. Recertification.**

An agent of the North Dakota highway patrol or a registered service person or company may inspect, test, and calibrate portable vehicle scales utilized for law enforcement purposes. The owner of any portable vehicle scale utilized for enforcement purposes is responsible for its accuracy and should have the device tested and recertified annually. Failure to recertify a portable vehicle scale within fifteen months of the prior year's annual recertification will disqualify the device to be utilized for enforcement purposes. The highway patrol will maintain a record of recertification of portable vehicle scales utilized for law enforcement purposes.

The device utilized by the highway patrol or registered service person or company for the recertification of portable vehicle scales should be one that is certified annually by a facility that has practices and standards that are traceable to the national institute of standards and technology, an agency of the United States department of commerce.

**History:** Effective July 1, 2013.  
**General Authority:** NDCC 39-12-02  
**Law Implemented:** NDCC 39-12-07