

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1155

Introduced by

Agriculture Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to create and enact a new section to chapter 64-02 of the North Dakota
2 Century Code, relating to testing of weighing devices; and to amend and reenact section
3 64-02-01 of the North Dakota Century Code, relating to the definition of transient vendors.

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

5 **SECTION 1. AMENDMENT.** Section 64-02-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **64-02-01. Definitions.** In this title:

- 8 1. "Calibrate" means to compare a standard, or weighing or measuring device, to
9 another standard and eliminate by adjustment any variation in the accuracy of the
10 item being compared, but does not include the field repair of a weighing or
11 measuring device.
- 12 2. "Commission" means the public service commission.
- 13 3. "Test" means to measure to determine if a standard; or weighing or measuring
14 device, is within the permitted tolerance.
- 15 4. "Transient vendor" means a wholesale or retail seller of produce, fruit, nuts, or
16 seafood that sells to the public at a temporary location, on a seasonal basis, open
17 less than one hundred twenty business days each year.
- 18 5. "Weighing or measuring device" means any scale, weight, measure, instrument, or
19 device used or offered for use for weighing or measuring in commerce.

20 **SECTION 2.** A new section to chapter 64-02 of the North Dakota Century Code is
21 created and enacted as follows:

22 **Exception from annual test of weighing or measuring device.** A weighing or
23 measuring device used to conduct sales by a transient vendor is exempt from this chapter.