

**Fifty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1091  
(Transportation Committee)  
(At the request of the Public Service Commission)

AN ACT to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to fees for testing or calibrating weighing and measuring devices.

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

**SECTION 1. AMENDMENT.** Section 64-02-10 of the 1999 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:

1.	Test railroad track or truck scale	<del>\$97.00</del> <u>107.00</u>
2.	Test livestock and vehicle scale	<del>97.00</del> <u>107.00</u>
3.	Test livestock scale 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	<del>55.00</del> <u>60.00</u>
4.	Test auxiliary beam on livestock, motor truck, and motor truck dump scale	<del>49.00</del> <u>21.00</u>
5.	Test overhead monorail, track, hopper, dormant, deck, and hanging scale	<del>43.00</del> <u>48.00</u>
6.	Test movable platform scale	<del>8.00</del> <u>10.00</u>
7.	Test counter or computing scale	<del>8.00</del> <u>10.00</u>
8.	Test hanging scale of fifty pound [22.68 kilograms] capacity or less	<del>8.00</del> <u>10.00</u>
9.	<del>Test board of cloth measure</del>	<del>8.00</del>
<del>40.</del>	Test a retail motor fuel device	<del>8.00</del> <u>10.00</u>
<del>41.</del> <u>10.</u>	Test or calibrate weighing and measuring standards, per metrologist, per quarter hour or fraction thereof	<del>42.50</del> <u>15.00</u>
<del>42.</del> <u>11.</u>	Test mobile delivery gasoline and fuel oil meter	<del>49.00</del> <u>21.00</u>
<del>43.</del> <u>12.</u>	Test gasoline, LPG, or fuel oil meter on common carrier pipelines, or any other meter used in loading railway cars, transports, or other conveyances	<del>43.00</del> <u>48.00</u>

44.	<u>13.</u>	Test propane, ag chemical, or liquid fertilizer meter	<del>34.00</del> <u>35.00</u>
45.	<u>14.</u>	Test truck tank	<del>64.00</del> <u>67.00</u>
46.	<u>15.</u>	Test crane scale	<del>64.00</del> <u>67.00</u>
47.	<u>16.</u>	Test or calibrate weighing and measuring devices other than the above and those set by rule, per inspector per quarter hour or fraction thereof	<del>9.00</del> <u>10.00</u>
48.	<u>17.</u>	Witnessing any of the above tests	Fifty percent of the applicable fee

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, the commission shall charge a fee equal to the cost of operating the motor vehicle used in conducting the test. The mileage charges, as determined by the commission, must be in addition to the regular test fee and calculated 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 ~~nine~~ ten dollars a quarter hour for the time between the arranged time and the time at which the test can begin.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1091.

House Vote:      Yeas    67      Nays    29      Absent    2

Senate Vote:    Yeas    32      Nays    15      Absent    2

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2001.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2001.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2001,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State