



# RULE-MAKING ORDER

## CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Washington State Department of Agriculture

- Permanent Rule  
 Emergency Rule

**Effective date of rule:**  
**Permanent Rules**  
 31 days after filing.  
 Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**  
**Emergency Rules**  
 Immediately upon filing.  
 Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**  
 Yes  No If Yes, explain:

**Purpose:** This rulemaking order amends chapter 16-675 WAC (Calibration Services, Special Inspection and Testing Fees) by increasing the fees charged by the metrology laboratory for inspection, tolerance testing and calibration services and the fees charged for request inspections and tests of weighing or measuring devices within the OFM fiscal growth factor for fiscal year 2008 (5.53%).

**Citation of existing rules affected by this order:**

Repealed:  
 Amended: 16-675-045, 055  
 Suspended:

**Statutory authority for adoption:** Chapters 19.94 and 34.05 RCW

**Other authority :**

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 07-10-110 on May 2, 2007.  
 Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_

**EMERGENCY RULE ONLY**

- Under RCW 34.05.350 the agency for good cause finds:
- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
  - That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

DATE ADOPTED

June 14, 2007

NAME (TYPE OR PRINT)

Valoria H. Loveland

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

COOPER'S OFFICE  
STATE OF WASHINGTON

JUN 14 2007

3:48

07-13-051

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	0	Amended	0	Repealed	0
<b>Federal rules or standards:</b>	New	0	Amended	0	Repealed	0
<b>Recently enacted state statutes:</b>	New	0	Amended	0	Repealed	0

**The number of sections adopted at the request of a nongovernmental entity:**

	New	0	Amended	0	Repealed	0
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**The number of sections adopted in the agency's own initiative:**

	New	0	Amended	2	Repealed	0
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

	New	0	Amended	0	Repealed	0
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	0	Amended	0	Repealed	0
<b>Pilot rule making:</b>	New	0	Amended	0	Repealed	0
<b>Other alternative rule making:</b>	New	0	Amended	2	Repealed	0

AMENDATORY SECTION (Amending WSR 04-23-043, filed 11/10/04, effective 12/11/04)

**WAC 16-675-045** What fees does the laboratory charge for the services it performs? The metrology laboratory charges the following fees for services performed:

Service Performed	Fee
Inspection, tolerance testing and calibration services performed at the metrology laboratory	<del>\$((+00.00))</del> <u>105.50</u> per hour
Inspection, tolerance testing and calibration services performed at other than the metrology laboratory	<del>\$((+00.00))</del> <u>105.50</u> per hour <b>plus</b> mileage and per diem at the rates established by the office of financial management (OFM) when the service is performed
Any service provided by the laboratory	<b>Minimum</b> one-half hour charge

AMENDATORY SECTION (Amending WSR 04-23-043, filed 11/10/04, effective 12/11/04)

**WAC 16-675-055** What fees are charged when the inspecting and testing of a weighing or measuring device is specifically requested by the device's owner? The fees in the following table apply to inspecting and testing weighing or measuring devices when the inspection or test is:

- (1) Specifically requested by the device's owner or his/her representative; or
- (2) Performed on devices used by an agency or institution that receives money from the legislature or the federal government.

Weighing and Measuring Device	Inspection and/or Testing Fee
Small scales "zero to four hundred pounds capacity"	<del>\$((+15.95))</del> <u>16.80</u> per scale
Intermediate scales "four hundred pounds to five thousand pounds capacity"	<del>\$((+53.20))</del> <u>56.10</u> per scale

<b>Weighing and Measuring Device</b>	<b>Inspection and/or Testing Fee</b>
Large scales "over five thousand pounds capacity"	\$ <del>((133.02))</del> <u>140.30</u> per scale
Large scales with supplemental devices	\$ <del>((159.62))</del> <u>168.40</u> per scale
Railroad track scales	\$ <del>((1,064.19))</del> <u>1,123.00</u> per scale
Liquid fuel meters with flows of less than twenty gallons per minute	\$ <del>((15.95))</del> <u>16.80</u> per meter
Liquid fuel meters with flows of at least twenty but not more than one hundred fifty gallons per minute	\$ <del>((53.20))</del> <u>56.10</u> per meter
Fuel meters with flows over one hundred fifty gallons per minute	\$ <del>((159.62))</del> <u>168.40</u> per meter
Liquid petroleum gas meters with one-inch diameter or smaller dispensers	\$ <del>((53.20))</del> <u>56.10</u> per meter
Liquid petroleum gas meters with greater than one-inch diameter dispensers	\$ <del>((159.62))</del> <u>168.40</u> per meter
Inspection services not covered by the above special inspection fees	\$ <del>((35.91))</del> <u>37.80</u> per hour for labor and travel time (minimum one hour charge)