

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6365

Chapter 358, Laws of 2006

59th Legislature
2006 Regular Session

WEIGHTS AND MEASURES PROGRAM--FEES

EFFECTIVE DATE: 7/1/06 - Except section 2, which becomes effective 7/1/07.

Passed by the Senate March 7, 2006
YEAS 41 NAYS 7

BRAD OWEN

President of the Senate

Passed by the House March 1, 2006
YEAS 97 NAYS 1

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6365** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 30, 2006.

FILED

March 30, 2006 - 3:39 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6365

AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Agriculture & Rural Economic Development
(originally sponsored by Senators Rasmussen, Schoesler, Jacobsen,
Fraser and Shin; by request of Department of Agriculture)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to fees for the weights and measures program;
2 amending RCW 19.94.175, 19.94.175, 15.80.450, 15.80.490, and
3 19.94.2582; creating new sections; providing effective dates; and
4 providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 19.94.175 and 1995 c 355 s 7 are each amended to read
7 as follows:

8 (1) Pursuant to RCW 19.94.015, the following annual registration
9 fees shall be charged for each weighing or measuring instrument or
10 device used for commercial purposes in this state:

11	(a) Weighing devices:	
12	(i) Small scales "zero to four	((5.00))
13	hundred pounds capacity" ... \$	<u>7.50</u>
14	(ii) Intermediate scales "four	
15	hundred one pounds to five	((20.00))
16	thousand pounds capacity" .. \$	<u>30.00</u>

1	(iii)	Large scales "over five	((52.00))
2		thousand pounds capacity" . .	\$ <u>63.50</u>
3	(iv)	Large scales with	
4		supplemental	
5		devices	\$ <u>52.00</u>
6	(v))	Railroad track scales	\$ 800.00
7	(b)	Liquid fuel metering devices:	
8	(i)	Motor fuel meters with flows of	
9		((less than)) twenty gallons or	((5.00))
10		<u>less</u> per minute	\$ <u>7.50</u>
11	(ii)	Motor fuel meters with flows of	
12		more than twenty but not more	
13		than one hundred fifty gallons	((16.00))
14		per minute	\$ <u>24.00</u>
15	(iii)	Motor fuel meters with flows	
16		over one hundred fifty gallons	((25.00))
17		per minute	\$ <u>37.50</u>
18	(c)	Liquid petroleum gas meters:	
19	(i)	With one inch diameter or	((10.00))
20		smaller dispensers	\$ <u>17.50</u>
21	(ii)	With greater than one inch	((30.00))
22		diameter dispensers	\$ <u>40.00</u>
23	(d)	Fabric meters	((5.00))
24			\$ <u>7.50</u>
25	(e)	Cordage meters	((5.00))
26			\$ <u>7.50</u>
27	(f)	Mass flow meters	((14.00))
28			\$ <u>107.00</u>
29	(g)	Taxi meters	((5.00))
30			\$ <u>15.00</u>

31 (2) With the exception of subsection (3) of this section, no person
32 shall be required to pay more than the ~~((established))~~ annual
33 registration fee ~~((adopted under this section))~~ for any weighing or
34 measuring instrument or device in any one year.

35 (3) The department or a city sealer may establish reasonable
36 inspection and testing fees for each type or class of weighing or
37 measuring instrument or device specially requested to be inspected or
38 tested by the device owner. These inspection and testing fees shall be

1 limited to those amounts necessary for the department or city sealer to
2 cover the direct costs associated with such inspection and testing.
3 The fees (~~established under this subsection~~) shall not be set so as
4 to compete with service agents normally engaged in such services.

5 **Sec. 2.** RCW 19.94.175 and 1995 c 355 s 7 are each amended to read
6 as follows:

7 (1) Pursuant to RCW 19.94.015, the following annual registration
8 fees shall be charged for each weighing or measuring instrument or
9 device used for commercial purposes in this state:

- 10 (a) Weighing devices:
 - 11 (i) Small scales "zero to four ((5.00))
12 hundred pounds capacity" ... \$ 10.00
 - 13 (ii) Intermediate scales "four
14 hundred one pounds to five ((20.00))
15 thousand pounds capacity" .. \$ 40.00
 - 16 (iii) Large scales "over five ((52.00))
17 thousand pounds capacity" .. \$ 75.00
 - 18 (iv) ~~(Large scales with~~
19 ~~supplemental~~
20 ~~devices~~ \$ 52.00
 - 21 (v)) Railroad track scales \$ 800.00
- 22 (b) Liquid fuel metering devices:
 - 23 (i) Motor fuel meters with flows of
24 ~~((less than))~~ twenty gallons or ((5.00))
25 less per minute \$ 10.00
 - 26 (ii) Motor fuel meters with flows of
27 more than twenty but not more
28 than one hundred fifty gallons ((16.00))
29 per minute \$ 32.00
 - 30 (iii) Motor fuel meters with flows
31 over one hundred fifty gallons ((25.00))
32 per minute \$ 50.00
- 33 (c) Liquid petroleum gas meters:
 - 34 (i) With one inch diameter or
35 smaller dispensers \$ 25.00

1	(ii) With greater than one inch	((30.00))
2	diameter dispensers	\$ <u>50.00</u>
3	(d) Fabric meters	((5.00))
4		\$ <u>10.00</u>
5	(e) Cordage meters	((5.00))
6		\$ <u>10.00</u>
7	(f) Mass flow meters	((14.00))
8		\$ <u>200.00</u>
9	(g) Taxi meters	((5.00))
10		\$ <u>25.00</u>

11 (2) With the exception of subsection (3) of this section, no person
 12 shall be required to pay more than the ((established)) annual
 13 registration fee ((adopted under this section)) for any weighing or
 14 measuring instrument or device in any one year.

15 (3) The department or a city sealer may establish reasonable
 16 inspection and testing fees for each type or class of weighing or
 17 measuring instrument or device specially requested to be inspected or
 18 tested by the device owner. These inspection and testing fees shall be
 19 limited to those amounts necessary for the department or city sealer to
 20 cover the direct costs associated with such inspection and testing.
 21 The fees ((established under this subsection)) shall not be set so as
 22 to compete with service agents normally engaged in such services.

23 **Sec. 3.** RCW 15.80.450 and 1969 ex.s. c 100 s 16 are each amended
 24 to read as follows:

25 Any person may apply to the director for a weighmaster's license.
 26 Such application shall be on a form prescribed by the director and
 27 shall include:

28 (1) The full name of the person applying for such license and if
 29 the applicant is a partnership, association or corporation, the full
 30 name of each member of the partnership or the names of the officers of
 31 the association or corporation;

32 (2) The principal business address of the applicant in this state
 33 and elsewhere;

34 (3) The names of the persons authorized to receive and accept
 35 service of summons and legal notice of all kinds for the applicant;

36 (4) The location of any scale or scales subject to the applicant's
 37 control and from which certified weights will be issued; and

1 (5) Such other information as the director feels necessary to carry
2 out the purposes of this chapter.

3 Such annual application shall be accompanied by a license fee of
4 (~~twenty~~) fifty dollars for each scale from which certified weights
5 will be issued and a bond as provided for in RCW 15.80.480.

6 **Sec. 4.** RCW 15.80.490 and 1969 ex.s. c 100 s 20 are each amended
7 to read as follows:

8 Any weighmaster may file an application with the director for a
9 license for any employee or agent to operate and issue certified weight
10 tickets from a scale which such weighmaster is licensed to operate
11 under the provisions of this chapter. Such application shall be
12 submitted on a form prescribed by the director and shall contain the
13 following:

- 14 (1) Name of the weighmaster;
- 15 (2) The full name of the employee or agent and his resident
16 address;
- 17 (3) The position held by such person with the weighmaster;
- 18 (4) The scale or scales from which such employee or agent will
19 issue certified weights; and
- 20 (5) Signature of the weigher and the weighmaster.

21 Such annual application shall be accompanied by a license fee of
22 (~~five~~) ten dollars.

23 **Sec. 5.** RCW 19.94.2582 and 1995 c 355 s 16 are each amended to
24 read as follows:

25 (1) Each request for an official registration certificate shall be
26 in writing, under oath, and on a form prescribed by the department and
27 shall contain any relevant information as the director may require,
28 including but not limited to the following:

- 29 (a) The name and address of the person, corporation, partnership,
30 or sole proprietorship requesting registration;
- 31 (b) The names and addresses of all individuals requesting an
32 official registration certificate from the department; and
- 33 (c) The tax registration number as required under RCW 82.32.030 or
34 uniform business identifier provided on a master license issued under
35 RCW 19.02.070.

1 (2) Each individual when submitting a request for an official
2 registration certificate or a renewal of such a certificate shall pay
3 a fee to the department in the amount of (~~eighty~~) one hundred sixty
4 dollars per individual.

5 (3) The department shall issue a decision on a request for an
6 official registration certificate within twenty days of receipt of the
7 request. If an individual is denied their request for an official
8 registration certificate, the department must notify that individual in
9 writing stating the reasons for the denial and shall refund any
10 payments made by that individual in connection with the request.

11 NEW SECTION. **Sec. 6.** The director of the department of
12 agriculture or the director's designee shall convene its weights and
13 measures advisory committee on a quarterly basis to monitor
14 implementation of this act. The department and the advisory committee
15 shall report to the appropriate committees of the legislature by
16 December 1, 2006, if they have any recommended changes to the
17 implementation of the weights and measures program.

18 NEW SECTION. **Sec. 7.** The department of agriculture shall provide
19 a report to appropriate committees of the legislature on the status of
20 the weights and measures program by December 15, 2007.

21 NEW SECTION. **Sec. 8.** (1) Sections 1 and 3 through 7 of this act
22 take effect July 1, 2006.

23 (2) Section 2 of this act takes effect July 1, 2007.

24 NEW SECTION. **Sec. 9.** Section 1 of this act expires July 1, 2007.
Passed by the Senate March 7, 2006.
Passed by the House March 1, 2006.
Approved by the Governor March 30, 2006.
Filed in Office of Secretary of State March 30, 2006.