

Chapter 16-674 WAC

WEIGHTS AND MEASURES—EXEMPTIONS, WEIGHMASTERS AND DEVICE REGISTRATION

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-674-001	Promulgation. [Order 792, Promulgation, filed 3/1/60.] Decodified by Order 1145, filed 2/27/70. Later promulgation, see WAC 16-674-002.
16-674-002	Promulgation. [Order 1145, § 16-674-002, filed 2/27/70, effective 4/1/70. Formerly WAC 16-650-001.] Repealed by WSR 93-03-079, filed 1/19/93, effective 2/19/93. Statutory Authority: 1992 c 237.
16-674-020	Disposition of condemned and confiscated weights and measures. [Order 1145, § 16-674-020, filed 2/27/70, effective 4/1/70; Order 897, Regulation 3, filed 1/14/63.] Repealed by WSR 93-03-079, filed 1/19/93, effective 2/19/93. Statutory Authority: 1992 c 237.
16-674-060	Inspection and testing fees. [Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-060, filed 1/19/93, effective 2/19/93.] Repealed by WSR 96-01-040, filed 12/13/95, effective 1/13/96. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16.
16-674-065	Special inspection and testing fees. [Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-065, filed 12/13/95, effective 1/13/96.] Repealed by WSR 02-15-141, filed 7/22/02, effective 8/22/02. Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. Later promulgation, see WAC 16-675-050.
16-674-070	Late fees. [Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-070, filed 1/19/93, effective 2/19/93.] Repealed by WSR 96-01-040, filed 12/13/95, effective 1/13/96. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16.
16-674-080	Fees for federal grain elevator scales. [Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-080, filed 12/13/95, effective 1/13/96. Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-080, filed 1/19/93, effective 2/19/93.] Repealed by WSR 02-15-141, filed 7/22/02, effective 8/22/02. Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410.
16-674-090	Fees for railroad track scales. [Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-090, filed 12/13/95, effective 1/13/96. Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-090, filed 1/19/93, effective 2/19/93.] Repealed by WSR 02-15-141, filed 7/22/02, effective 8/22/02. Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. Later promulgation, see WAC 16-675-060.
16-674-092	Service agent registration. [Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-092, filed 12/13/95, effective 1/13/96.] Repealed by WSR 00-22-072, filed 10/30/00, effective 11/30/00. Statutory Authority: RCW 19.94.010, 19.94.190.
16-674-100	City sealers report forms prescribed. [Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-100, filed 1/19/93, effective 2/19/93.] Repealed by WSR 96-01-040, filed 12/13/95, effective 1/13/96. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16.

WAC 16-674-010 Exemptions and definitions. (1)

The weighing or measuring instruments or devices listed below are exempted from the sealing or marking inspection and testing requirements of RCW 19.94.163, because they are of such character or size that such sealing or marking would be inappropriate, impractical, or damaging to the apparatus in question:

- (a) Measure containers
- (b) Milk bottles
- (c) Lubricating oil bottles
- (d) Berry baskets and boxes.

(2) Unless the context clearly requires otherwise, the definitions provided for in chapter 19.94 RCW and in this section shall apply to this chapter.

(a) "Commercial weighing or measuring device" shall be construed to include any weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure. It shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects the accuracy of the device.

(b) "Owner" shall be construed to mean the individual or business actually using a weighing or measuring device for commercial purposes, regardless of who is the legal owner or lien holder of such device.

[Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-010, filed 7/22/02, effective 8/22/02. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-010, filed 12/13/95, effective 1/13/96. Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-010, filed 1/19/93, effective 2/19/93; Order 1145, § 16-674-010, filed 2/27/70, effective 4/1/70; Order 792, Regulation 3, effective 3/1/60.]

WAC 16-674-030 Weighmaster license issuance, expiration and fees. (1) Weighmaster licenses issued under RCW 15.80.460 shall expire on June 30th following the date of issuance.

(2) Upon expiration, suspension or revocation of the license, the weighmaster must surrender their impression seal to the director or his/her representative within ten days if they do not renew their license, if their license is suspended or if their license is revoked. The seal may be surrendered by sending the seal to the department or by surrendering the seal to the director or his/her duly appointed representative.

(3) Businesses or individuals applying to renew their license or applying for their initial license with the department must have a current bond in the amount specified in

RCW 15.80.480 and that bond must remain in force and effect for not less than the entire licensing period.

(4) Weighing and measuring devices used by weighmasters are considered to be in commercial use and must be registered. Registrations are accomplished through the department of licensing as part of the master license service under chapter 19.02 RCW.

(5) Proof of a scale test within the last twelve months must be submitted with the application.

(6) Applications must be submitted with the proper fees as specified in chapter 15.80 RCW.

(7) Applications received without subsections (3), (4), (5) and (6) of this section will be considered incomplete applications and will be returned to the applicant.

[Statutory Authority: Chapters 15.80 and 34.05 RCW. WSR 08-20-070, § 16-674-030, filed 9/25/08, effective 10/26/08. Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-030, filed 7/22/02, effective 8/22/02. Statutory Authority: RCW 15.32.100, 15.32.110, 15.32.584, 69.07.040, 16.49.440, 16.49.630, 15.80.460, 15.80.470, 15.80.500, 16.58.060, 20.01.050, 22.09.050, 22.09.055, 22.09.070, 22.09.075, 17.21.070, 17.21.110, 17.21.126, 17.21.129, 17.21.220, 17.21.122, 15.58.200, 15.58.210, 15.58.220, 17.21.140 and 16.57.080. WSR 91-16-005 (Order 2091), § 16-674-030, filed 7/25/91, effective 8/25/91.]

WAC 16-674-040 Weighmaster license—Late renewal penalty. (1) Renewal applications for weighmaster licenses issued under chapter 15.80 RCW not filed by July 1st of any one year are subject to a penalty of fifty percent of the renewal fee as provided by RCW 15.80.470.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

[Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-040, filed 7/22/02, effective 8/22/02. Statutory Authority: RCW 15.32.100, 15.32.110, 15.32.584, 69.07.040, 16.49.440, 16.49.630, 15.80.460, 15.80.470, 15.80.500, 16.58.060, 20.01.050, 22.09.050, 22.09.055, 22.09.070, 22.09.075, 17.21.070, 17.21.110, 17.21.126, 17.21.129, 17.21.220, 17.21.122, 15.58.200, 15.58.210, 15.58.220, 17.21.140 and 16.57.080. WSR 91-16-005 (Order 2091), § 16-674-040, filed 7/25/91, effective 8/25/91.]

WAC 16-674-050 Weigher license. Weigher licenses issued under RCW 15.80.500 shall expire on June 30th following the date of issuance.

[Statutory Authority: RCW 15.32.100, 15.32.110, 15.32.584, 69.07.040, 16.49.440, 16.49.630, 15.80.460, 15.80.470, 15.80.500, 16.58.060, 20.01.050, 22.09.050, 22.09.055, 22.09.070, 22.09.075, 17.21.070, 17.21.110, 17.21.126, 17.21.129, 17.21.220, 17.21.122, 15.58.200, 15.58.210, 15.58.220, 17.21.140 and 16.57.080. WSR 91-16-005 (Order 2091), § 16-674-050, filed 7/25/91, effective 8/25/91.]

WAC 16-674-055 Weighing and measuring devices.

(1) Weighing and measuring devices used by weighmasters must meet all legal requirements for commercial weighing and measuring devices.

(2) Weighmaster scales must be tested not less than every twelve months and must conform to the tolerances and specifications in the edition of NIST Handbook 44, "*Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices*," adopted by the department in chapter 16-662 WAC. Inspections must be performed by either service agents registered with the department or by

the department. The department is under no obligation to provide this inspection service.

(3) A legible copy of the current scale inspection and current master business license must be maintained at the same site as the scale and must be immediately made available to the director or his representative upon request.

[Statutory Authority: Chapters 15.80 and 34.05 RCW. WSR 08-20-070, § 16-674-055, filed 9/25/08, effective 10/26/08. Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-055, filed 7/22/02, effective 8/22/02.]

WAC 16-674-095 Device registration. (1) All weighing or measuring devices used for commercial purposes in the state shall be registered annually. Devices in commercial use within a city having a city sealer and a weights and measures program that has adopted registration fees shall be registered with the city. Devices used commercially outside of such city shall register with the department. If the commercial use of the device is within such city that has not adopted fees, the device shall be registered with the department.

(2) The device registration fees established in RCW 19.94.175 shall apply unless a city jurisdiction has adopted separate registration fees for devices used within its jurisdiction. Cities may establish separate annual registration fees for devices within city jurisdictions; however, they may not exceed the fees in RCW 19.94.175 for registering the use of a similar instrument or device. Payment of the device registration fee constitutes registration. Cities shall notify the department of agriculture regarding the adoption of fee levels and any changes in fees.

(3) All device registrations with the department shall be accomplished as part of the department of licensing, master license system under chapter 19.02 RCW. Devices shall be initially registered at the time the owner applies for a master license for a new business or when the device is first placed into commercial use. Device registrations with a city may be accomplished through the master licensing system with a letter of request for implementation assistance from the city to the department of agriculture.

(4) The department of licensing shall remit to the department of agriculture all registration fees collected less reasonable collection expenses. The department of agriculture shall forward to the city that portion of fees attributable to city registrations.

[Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-095, filed 7/22/02, effective 8/22/02. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-095, filed 12/13/95, effective 1/13/96.]