

FINAL BILL REPORT

SHB 1298

C 96 L 19
Synopsis as Enacted

Brief Description: Concerning device registration, civil penalties, and service agent registration for the weights and measures program.

Sponsors: House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Representatives Pettigrew, Chandler, Blake, Kretz and Springer; by request of Department of Agriculture).

House Committee on Rural Development, Agriculture, & Natural Resources
House Committee on Appropriations
Senate Committee on Agriculture, Water, Natural Resources & Parks

Background:

Weights and Measures—Introduction.

Every weighing and measuring instrument used for commercial purposes in the state must be registered annually. Examples of such instruments include grocery scales, gas pumps, vehicle scales, and taxi meters. The devices may be registered with the Department of Agriculture's (WSDA's) Weights and Measures program, or they may be registered with a city, if the devices are used within a city that operates its own Weights and Measures program. First-class cities with populations greater than 50,000 are authorized to operate a Weights and Measures program. Annual weights and measures registration fees are set in statute. Cities that operate their own Weights and Measures programs may establish their own annual fees as long as they do not exceed the statutory fee schedule.

Weighing or measuring instruments or devices used for commercial purposes in the state must be inspected and tested for accuracy at least once every two years by the WSDA or, in cities that operate their own Weights and Measures program, by the city.

Service Agents.

Service agents are persons who, for payment, perform specified services related to weighing or measuring instruments or devices, including: testing, installing, inspecting, and repairing. Service agents are required to obtain a registration certificate from the WSDA each year before performing such a service.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Weights and Measures–Fees.

The annual registration fees for a variety of specified weighing and measuring instruments used for commercial purposes are changed, from a current range of \$10 to \$800, to a range of \$16 to \$1,200.

The Weights and Measures Advisory Group within the Department of Agriculture (WSDA) must review the annual registration fee and report to stakeholders on the financial status of the program supported by the fees by September 1, 2024, and every five years thereafter.

Weights and Measures Program–Cities.

All cities with a population greater than 50,000, are rather than just first class cities with a population greater than 50,000, authorized to operate their own Weights and Measures program.

Service Agents.

The WSDA is authorized to require persons registering as service agents to pass a competency examination, and the WSDA is authorized to adopt rules for administering the examination.

The annual fee for a service agent's registration certificate is increased from \$160 to \$180. If a service agent fails to file his or her application for renewal before the expiration date, the WSDA must assess a late fee equal to 20 percent of the renewal fee, unless the service agent submits a declaration stating that the agent has not acted as a service agent following the expiration of the certification.

Service agents must possess adequate equipment to accurately test devices and a means of identifying the work that the service agent has performed on weighing and measuring devices. A service agent who uses a weight or measure standard that has not been approved by the WSDA is subject to a penalty of up to \$1,000 per occurrence.

Weights and Measures–Rulemaking Authority.

The WSDA is directed to adopt rules concerning multiple aspects of the Weights and Measures program, including:

- methods for checking the net contents of packaged goods;
- the establishment of technical testing procedures to be followed by the WSDA, by cities with their own Weights and Measures programs, and by service agents;
- the establishment of inspection and testing procedures, and exemptions from inspection and testing requirements, for certain weighing or measuring instruments;
- technical requirements for commercial weighing and measuring instruments that must, with certain exceptions, be consistent with specified national standards;
- requirements related to the sale of commodities that must, with certain exceptions, be consistent with specified national standards; and
- specifications and tolerances for the acceptable range of accuracy required of weighing and measuring instruments.

Weights and Measures–Penalties.

The civil penalties assessed for various violations of the Weights and Measures statute are changed, from a current range of \$50 to \$5,000, to a range of \$100 to \$10,000.

Weights and Measures—Miscellaneous.

Flour, as well as corn meal and grits, are required to simply be sold by weight, rather than by certain specified prescribed weights.

Votes on Final Passage:

House 98 0

Senate 46 0

Effective: July 1, 2019