

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
WEIGHTS AND MEASURES
ADMINISTRATIVE CODE

CHAPTER 80-13-9
REGISTRATION OF COMMERCIAL WEIGHING AND MEASURING TECHNICIANS

TABLE OF CONTENTS

80-13-9-.01	Registration Periods And Renewals For Weighing And Measuring Technicians
80-13-9-.02	Requirements For Registration As Weighing Device Serviceman
80-13-9-.03	Requirements For Registration As Measuring Device Serviceman
80-13-9-.04	Calibration Of Test Weights And Measures
80-13-9-.05	Requirement For Reporting By Registered Serviceman
80-13-9-.06	Calibration Of Test Weights And Measures
80-13-9-.01	<u>Registration Periods And Renewals For Weighing And Measuring Technicians.</u>

Under the provisions of Code of Ala. 1975, §8-16-122, registration of weighing and measuring device servicemen is for a period of 12 months and must be renewed every year. The expiration date of said registration is the expiration date as set out on the certificate of registration issued during fiscal year 1988-1989. Registration for persons initially applying for registration in subsequent years shall expire on the expiration date set out on their initial certificate of registration. Any person reapplying for registration who has had a lapse of at least one year since last registration will be treated as an initial registrant. Beginning October 1, 2004, each person applying or reapplying for registration under the provisions of Code of Ala. 1975, §8-16-122 shall remit to the Department of Agriculture and Industries with said application for registration a fee payment in the amount of \$100.00.

Author: Charles H. Barnes, John P. Hagood

Statutory Authority: Code of Ala. 1975, §8-16-121.

History: Filed: November 25, 1987. **Amended:** Filed August 16, 2004; effective September 20, 2004.

80-13-9-.02 Requirements For Registration As Weighing Device Serviceman.

The Department will review and examine the qualifications of each person applying for registration as a weighing device serviceman. It will also be necessary for an applicant to have on site sufficient test weights of approved type (see National Institute of Standards and Technology Handbook 105-1) and calibration to test, in accordance with National Institute of Standards and Technology Handbook No. 44 and NCWM Publication No. 112, the category of scales for which registered. Registrant must have weights to test to capacity small scales of not more than 1,000 pounds capacity and for large scale testing and repair a minimum of 20,000 pounds of calibrated and approved test weights for installing, servicing and repairing large scales (i.e. livestock, vehicle and hopper) as shown in following table:

MINIMUM KNOWN TEST WEIGHTS	
Device Capacity	Minimums (in terms of device capacity)
0 to 300 lb.	100%
301 to 3,000 lb.	25% - minimum 300 lb.
3001 to 40,000 lb.	25% - minimum 1,000 lb.
40,001 lb. +	12.5% - minimum 20,000 lb.
Railway track scales approval require a minimum of 80,000 lb. Interim approval or enforcement action require a minimum of 30,000 lb.	

Applicants' test weights must be calibrated and approved at least once each year or more often by the Weights and Measures Laboratory of this Department or the proper authorities of another state which can show traceability to the National Institute of Standards and Technology. If a firm applies for registration of more than one weighing device serviceman, an application must be made for each person.

Author: Reginald L. Sorrells, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §8-16-121.

History: Filed: November 25, 1987. **Amended:** Filed November 27, 2001; effective January 1, 2002. **Amended:** Filed August 17, 2012; effective September 21, 2012. **Amended:** Filed May 14, 2014; effective June 18, 2014.

80-13-9-.03 Requirements For Registration As Measuring Device Serviceman.

The Department will review and examine the qualifications of each person applying for registration as a measuring device serviceman. This includes field test measures of an approved type. Applicants'

test measures must be calibrated at least once each year or more often by the Weights and Measures Laboratory of the Department or proper authorities of another state which can show traceability to the National Institute of Standards and Technology (NIST). If a firm applies for registration of more than one serviceman, an application must be made for each serviceman.

It will be necessary for an applicant to have on site sufficient field test measures of approved type (See Handbook 105-2 and 105-3) and calibration to test or service any liquid measuring device in the category for which registered in accordance with NIST Handbook No. 44 and NCWM Publication No. 112 Examination Procedure Outlines for Commercial Weighing and Measuring Devices. The above field test measures must be available for each applicant and not just one per firm.

Author: Charles H. Barnes, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §8-16-121.

History: Filed: November 25, 1987. Filed August 17, 2012; effective September 21, 2012. **Amended:** Filed May 14, 2014; effective June 18, 2014.

80-13-9-.04 Calibration Of Test Weights And Measures.

(1) As stated in rules 80-13-9-.02 and 80-13-9-.03, all test weights and measures used within the state shall be calibrated at least once per year or more often by the Weights and Measures Laboratory of the Department or the proper authorities of another state which can show traceability to the National Institute of Standards and Technology.

(2) No certificate of registration shall be issued until the applicants' test weights and measures have been calibrated and approved. This calibration should take place within 30 days prior to the expiration date of the certificate of registration.

(3) Any registrant using test weights or measures that have not been calibrated within 12 months will be deemed to be in violation of the law and forbidden to remove condemnation tags, repair, service, or install said devices.

(4) Those individuals or entities utilizing the services of the Alabama Department of Agriculture and Industries to certify the accuracy of test weights and measures shall pay an annual certification fee based upon the type of weighing or measuring unit certified as follows:

(a) 0-10 pounds \$5.00 per unit or the metric equivalent

(b) 11-50 pounds \$8.00 per unit or the metric equivalent

(c) 51- 1000 pounds \$15.00 per unit or the metric equivalent

(d) Greater than 1000 pounds \$30.00 per unit or the metric equivalent

(e) Container with 0-5 gallon \$30.00 per unit capacity or metric equivalent

(f) Container with 5-50 gallon \$40.00 per unit capacity or metric equivalent

(g) Container with 51-100 gallon \$75.00 per unit capacity or metric equivalent

(h) Container with 101-500 gallon \$150.00 per unit capacity or metric equivalent

(i) Container with 501-and greater gallon \$350.00 per unit capacity or metric equivalent

(5) Governmental entities shall be exempt from the fee requirements of this rule.

Author: Charles H. Barnes, John P. Hagood, Robert J. Russell, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §8-16-121.

History: Filed: November 25, 1987. **Amended:** Filed August 16, 2004; effective September 22, 2004. **Amended:** Filed February 20, 2008; effective March 31, 2008. **Amended:** Filed August 17, 2012; effective September 21, 2012. **Amended:** Filed May 14, 2014; effective June 18, 2014.

80-13-9-.05 Requirement For Reporting By Registered Serviceman.

All individuals or entities required to register under this Chapter as outlined herein above shall submit at least weekly to the Commissioner of Agriculture and Industries a report of each device serviced, repaired, calibrated, or installed during the previous week. The report shall be submitted in a format prescribed by the Commissioner.

Author: Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §§, 8-16-7, 8-16-121.

History: New Rule: Filed May 14, 2014; effective June 18, 2014.

80-13-9-.06 Calibration Of Test Weights And Measures.

(1) All individuals required to comply with the requirements of this chapter shall be subject to the penalties contained in §8-16-123 of Code of Ala. 1975, as amended.

(2) Any individual or entity found to be in violation of this chapter or any portion of Title 8, Chapter 16 of the Code of Ala. 1975, as amended, shall be subject to a fine of \$500.00 per occurrence for the first violation within a twelve (12) month period. Subsequent violations during the same twelve (12) month period shall result in a fine of twice the amount of the previous fine, not to exceed \$8,000.00 per twelve (12) month period.

Author: Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §§8-16-7, 8-16-18, 8-16-121.

History: New Rule: Filed May 14, 2014; effective June 18, 2014.