

1. The inspection and testing of the registered weight and measure is performed by the county and municipal weights and measures department at least once a year;

2. The inspection and testing of weights and measures are conducted in conformity with the requirements and procedures specified in the most recent edition of the National Institute of Standards and Technology Handbook 44, together with all amendments and supplements thereto, adopted by the National Conference on Weights and Measures incorporated herein by reference; except that if the State Superintendent has amended or supplemented, in accordance with the provisions of N.J.S.A. 52:14B-1 et seq., any Handbook 44 requirements and procedures to conform to the needs of any situation affecting the interests of the State and its people, the county or municipal weights and measures department shall inspect and test the device(s) in accordance with the requirements and procedures as amended by the State Superintendent.

3. The weights and measures standards used by the county or municipality for testing the weights and measures have been compared to the State Standards in the custody of the State Superintendent and corrected and approved by the State Superintendent at least once in five years;

4. All certificates of inspections and tests of weights and measures shall be complete and correct in all respects;

5. Copies of certificates of inspections and tests of weights and measures, performed during the month, are submitted with a monthly report by the fifth day of the following month to the State Superintendent;

6. The weights and measures departments conduct their operations in compliance with State law and directives issued by the State Superintendent;

7. The governing bodies of the county and municipal weights and measures departments establish a "Weights and Measures Fund" as a non-lapsing, revolving, dedicated fund into which shall be deposited all reimbursement of fees received for inspection and testing of the weights and measures from the State Superintendent which shall be used to defray all or part of the expenses incurred in regulating weights and measures; and

8. The administrator or the finance officer of the governing bodies of the county and municipal weights and measures department shall submit a certification of the funds appropriated in their budget for weights and measures departments to the State Superintendent during the first quarter of the governing body's fiscal year. If there is any change in the amount of funds appropriated or supplemental appropriations are approved by the governing bodies, the administrator or the finance officer shall submit a supplementary certification to the State Superintendent within 30 days of the approval or the change.

(b) Copies of the National Institute of Standards and Technology Handbook 44 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(c) The State Superintendent shall disburse funds to county and municipal weights and measures departments by the end of the State fiscal quarter following the one in which the Certificates of Inspections and Tests for those weights and measures are received and approved by the State Superintendent.

(d) The State Superintendent shall have no obligation to a county and municipal weights and measures department for those fees due, but not collected, in any given quarter.

#### **13:47F-1.6 Licensure requirements; dealers and repairers**

(a) All persons engaged in the business of selling, trading in, receiving, or repairing of condemned, rebuilt, or used weights and measures, as described in N.J.S.A. 51:1-128, shall apply on a form provided by the State Superintendent for a Dealer's License and shall pay the fee as set forth in N.J.A.C. 13:47F-1.7. The application form will request information including the legal name of the dealer's business, trade name and address and information about the type(s) of device(s), manufacturer's name, model number, capacity, and serial number of the device(s) or testing equipment. All applications shall include a copy of the current Certificate of Inspections and Tests.

(b) All persons engaged only in the business of repairing of weights and measures, as described in N.J.S.A. 51:1-128, shall apply, on a form provided by the State Superintendent, for a Repairer's License and shall pay the fee as set forth in N.J.A.C. 13:47F-1.7. The application form will request information including the legal name of the repairer's business, trade name and address and information about the type(s) of device(s), manufacturer's name, model number, capacity, and serial number of the device(s) or testing equipment. All applications shall include a copy of the current Certificate of Inspections and Tests.

(c) All persons engaged in the business of selling, trading in, receiving, or repairing of condemned, rebuilt, or used weights and measures shall renew their license for a period of one year, by applying on a form provided by the State Superintendent and shall pay the renewal fee as set forth in N.J.A.C. 13:47F-1.7. The renewal application form will request the same information as required by (a) above. All renewal applications shall include a copy of the current Certificate of Inspection and Tests.

(d) All persons engaged only in the business of repairing of weights and measures shall renew their license for a period of one year, by applying on a form provided by the State Superintendent and shall pay the renewal fee as set forth in N.J.A.C. 13:47F-1.7. The renewal application form will request the same information as required by (b) above. All renewal applications shall include a copy of the current Certificate of Inspections and Tests.

(e) In addition to filing an application and submitting the same with a fee as set forth in N.J.A.C. 13:47F-1.7, all persons engaged in the business of repairing weights and measures, pursuant to the provisions of N.J.S.A. 51:1-113 et seq., shall have their weights and measures, including their testing equipment, compared with the State Standards in accordance with the requirements of the National Institute of Standards and Technology, formerly known as the National Bureau of Standards, Handbook 145, at least once a year.

(f) The State Superintendent shall issue a Certificate of Inspections and Tests upon compliance.

(g) Any violation of or noncompliance with any of the provisions of this section, for which a specific penalty has not been provided in Title 51 of the Revised Statutes, shall subject the violator to a penalty as prescribed by the provisions of N.J.S.A. 51:1-131.

### 13:47F-1.7 Fee schedule

(a) The State Superintendent shall charge the following Schedule of Fees for the Annual Registration, Inspection and Testing of Weights and Measures Used for Commercial Purposes and for the Inspection and Testing of Weights and Measures Not Used for Commercial Purposes:

Type of Device: Scales	Fee Per Device
Up to and including 1,000 pound capacity (other than hopper and vehicle scales)	\$20.00 per scale but not more than \$200.00 per commercial location
More than 1,000 pound capacity (other than hopper and vehicle scales)	\$100.00
Hopper scale	\$200.00
Vehicle scale	\$200.00
Wheel Load Weigher	\$100.00
Belt Conveyor Scale System	\$200.00
Automatic Bulk Weighing System	\$200.00

Type of Device: Volumetric Meters	Fee Per Device
Fuel Pump Dispenser	\$20.00 per dispenser hose but not more than \$200.00 per commercial location
Retail Vehicle Tank Meter with a maximum flow rate of 100 gallons/minute	\$40.00
Wholesale Vehicle Tank Meter	\$200.00
Rack Meter	\$200.00
Natural Gas and Propane Meter	\$150.00
Mass Flow Meter	\$200.00
Farm Milk Tank and Milk Meter	\$200.00
Water Meter	\$40.00

Type of Device: Miscellaneous	Fee Per Device
Length Measures	\$20.00
Timing Devices	\$10.00
Pharmacy Weight Kits	\$20.00 per kit
Tuning Fork (operative July 1, 1995)	\$5.00
Volumetric Measure of less than or equal to 10 gallon capacity	\$20.00
Volumetric Measure of more than 10 gallon capacity	\$150.00
Timing Device	\$10.00
Test Weights: less than 50 pounds	\$10.00
Test Weights: equal to or more than 50 pounds	\$30.00
Steel Tapes: less than or equal to 100 feet	
Tolerance Test	\$20.00
Calibration Test	\$100.00
Steel Tapes: longer than 100 feet	
Tolerance Test	\$40.00
Calibration Test	\$200.00
Any other device not listed above	\$25.00
Late Fee	\$10.00

NOTE: In addition to the above fees, hourly charges will be assessed at the rate of \$50.00 per hour for testing of non-commercial devices not delivered to the State Superintendent.

(b) The State Superintendent shall charge the following Schedule of Fees for Licensure of Dealers and Repairers of Weights and Measures:

Dealer's license	\$150.00
Repairer's license	\$20.00
Dealer's license renewal	\$150.00
Repairer's license renewal	\$20.00