

Title 2—DEPARTMENT OF
AGRICULTURE
Division 90—Weights, Measures and
Consumer Protection
Chapter 21—Weighing and
Measuring Devices

PROPOSED AMENDMENT

**By the Authority vested in the Department of Agriculture under section 413.225,
RSMo, the Director amends the rule as follows:**

2 CSR 90-21.010 Registration of Servicepersons and Service Agencies

PURPOSE: This rule covers guidelines pertaining to the registration of servicemen for commercial weighing devices (formerly listed as Regulation 8).

[PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.]

SUMMARY: *NIST Handbook 130* covers the registration of servicepersons and service agencies, which promotes uniformity among jurisdictions that provide for or are contemplating the establishment of some type of control over the servicing of commercial weighing and measuring devices.

(1) The rule for the Division of Weights, Measures and Consumer Protection for Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices shall incorporate by reference the section of the *NIST Handbook 130*, [2020] **2022** Edition, entitled “Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices.” **NIST Handbook 130, 2022 Edition, is published by the Superintendent of Documents, U.S. Government Publishing Office, and is available free of charge online at NIST.gov or a hard copy may be purchased from the National Conference on Weights and Measures at NCWM.net.** This regulation does not include any later amendments or additions to *NIST Handbook 130*.

(2) [*Registration Fee. There is no registration fee for Servicepersons and Registered Service Agencies.*] **For the purposes of this regulation, the following terms shall mean:**

(A) Calibration Certificate – a certificate that indicates a mass or volume standard has a traceable calibration.

(B) Registration Card – a card issued by the Division of Weights, Measures, and Consumer Protection that indicates a serviceperson’s name, registration number, date of issuance, score of work the person is allowed to perform, and the expiration date of the calibration certificate associated with the person’s equipment.

(C) Service Agency – a company performing installation, repair, or calibration on a weighing or measuring device.

(D) Service Work – installation, repair, or calibration performed on a weighing or measuring device that is placed into service for commercial purposes.

(E) Serviceperson – an employee of a service agency performing installation, repair, or calibration on a weighing or measuring device.

(3) Registration of Servicepersons and Service Agencies. Any serviceperson or service agency that places a weighing and measuring device into service or restores a device to service shall be registered with the Division of Weights, Measures, and Consumer Protection. All registration applications are due to the division annually by July 1 and are to include a \$100 registration fee for any service agency and a \$25 fee for every serviceperson. No registration card will be issued to a serviceperson or service agency that does not show a calibration certificate evidencing proof that they possess properly calibrated equipment.

(4) New Registrations. Any unregistered serviceperson or service agency can register with the division at any time during the calendar year but must do so before performing service work in this state.

(5) Registration Card Expiration. Registration cards shall expire annually on June 30 and may be renewed by that date to avoid expiration.

(6) Registration Card Renewal. Any serviceperson or service agency may renew their registration card by providing the appropriate fee and calibration certificate described in subdivision (3) of this regulation.

(7) All service work performed on a weighing or measuring device shall be performed with calibrated equipment or shall be deemed invalid. Should the division determine that a device has been improperly placed into service, an official rejection tag shall be placed on the device until a proper placed in service report is received by the department.

[3] (8) Placed in Service Report. Within twenty-four (24) hours after a device is restored to service or placed in service, the original of the properly executed Placed in Service Report, together with any official rejection tag removed from the device, shall be forwarded to MDA – Weights, Measures and Consumer Protection Division, PO Box 630, Jefferson City, MO 65102-0630 or faxed to 573-751-0281.

[(4) Certificate of Registration Exception. The “Certificate of Registration” will expire two (2) years from the date of issuance.

(5) NIST Handbook 130, 2020 2022 Edition, is published by the Superintendent of Documents, U.S. Government Publishing Office, and is available free of charge online at NIST.gov or a hard copy may be purchased from the National Conference on Weights and Measures at NCWM.net.]

AUTHORITY: section 413.065, RSMo 2016. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Nov. 14, 1977, effective April 13, 1978. Amended: Filed May 17, 1988, effective Aug. 11, 1988. Emergency amendment filed July 27, 1995, effective Aug. 5, 1995, expired Dec. 2, 1995. Amended: Filed July 27, 1995, effective Jan. 30, 1996. Amended: Filed June 27, 2018, effective Jan. 30, 2019. Amended: Filed July 12, 2021, effective Feb. 28, 2022.*

**Original authority: 413.065, RSMo 1983, amended 1993, 1994, 1995, 2002.*

Public Cost: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

Private Cost: This proposed amendment will cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENT: Anyone may file a statement in support of or in opposition to this proposed amendment with the Jimmy Williams, Division Director, Weights, Measures, and Consumer Protection, PO Box 630, Jefferson City, MO 65102 or online at Agriculture.MO.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.