

83-215. Rejection of weighing or measuring device; repair or destruction of device. (a) The secretary is hereby authorized and empowered to reject any weighing or measuring device which is found not to conform to state standards or which is found not to weigh or measure within authorized tolerances.

(b) Service companies or any agent or employee thereof, shall be prohibited from condemning or taking a weighing or measuring device out of service.

(c) Any weighing or measuring device that has been rejected under authority of the secretary shall remain subject to the control of the secretary until such time as suitable and acceptable repair has been made of the same, or an authorized disposition of the same has been approved. An authorized repair period of use not longer than 30 days for purposes of obtaining a repair of the weighing or measuring device by the owner, or a reasonable extension of that period, may be given by the secretary when it is determined that the immediate cessation of use of such weighing or measuring device will work an undue hardship on the person using such device or the patrons of such person. The owner of such rejected weighing or measuring device shall cause the same to be repaired and corrected to weigh or measure within authorized tolerances within 30 days after being rejected, or within such extension as may be authorized, or in lieu thereof, the owner of the same may dispose of or destroy such weighing or measuring device or any rejected weight or measure under specific authority from the secretary.

History: L. 1985, ch. 345, § 15; L. 1996, ch. 146, § 22; Apr. 18.