

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2255**

As Amended by House Committee on  
Agriculture and Natural Resources

**Brief\***

HB 2255, as amended, would change fees for weights and measures inspections, add new requirements for commercial electric vehicle service equipment, and reorganize portions of Chapter 83 of the *Kansas Statutes Annotated* regarding weights and measures.

***Changes to Weights and Measures Fees (Section 5)***

The bill would update the weights and measures fee schedule chart in statute and increase the fees to the amounts listed in the following chart. [Note: Please see page 8 of the bill for the current fee schedule.]

<b>Calibration Types</b>	<b>Calibration Ranges (Weight Set unless otherwise noted)</b>	<b>Proposed Calibration Fee</b>	<b>Proposed Adjustment Fee</b>
Mass Echelon III (ASTM Class: 5, 6, 7)	Up to 10 lb, up to 5 kg	\$120/set	\$20/pc in the set
Mass Echelon III (NIST Class: F)	Up to 10 lb, up to 5 kg	\$10/pc	\$20/pc

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

<b>Calibration Types</b>	<b>Calibration Ranges (Weight Set unless otherwise noted)</b>	<b>Proposed Calibration Fee</b>	<b>Proposed Adjustment Fee</b>
Mass Echelon III (OIML Class: M1, M1-2, M2, M2-3, M3)	Over 10 lb up to 50 lb, over 5 kg up to 30 kg	\$25/pc	\$50/pc
	Over 50 lb up to 1,250 lb, over 30 kg up to 500 kg	\$35/pc	\$70/pc
	Over 1,250 lb up to 3,000 lb	\$70/pc	\$45/pc
	Weight Cart, 2,500 lb up to 6,000 lb	\$250/pc	\$170/pc
	Weight Cart, over 6,000 lb up to 8,000 lb	\$350/pc	\$225/pc
Mass Echelon II (ASTM Class: 2, 3, 4) (OIML Class: F1, F2)	Up to 1,000 lb, up to 500 kg	\$40/pc	\$80/pc
Mass Echelon I (ASTM Class: 0, 1) (OIML Class: E1, E2)	500 lb, up to 30 kg	\$75/pc	\$75/pc
Volume Echelon II	5 gal	\$70/pc	Due to the calibration procedure, adjustment is included in the cost of calibration.
	Over 5 gal up to 100 gal	\$240/pc	
	Over 100 gal up to 200 gal	\$300/pc	
	Over 200 gal up to 500 gal	\$500/pc	

Calibration Types	Calibration Ranges (Weight Set unless otherwise noted)	Proposed Calibration Fee	Proposed Adjustment Fee
	Over 500 gal up to 1,000 gal	\$900/pc	
	Over 1,000 gal up to 1,500 gal	\$1,200/pc	
	LPG, 20 gal up to 100 gal	\$460/pc	
Volume Echelon I	Up to 5 gal	\$310/pc	\$310/pc
Thermometry Echelon IV	-35 degrees Celsius up to 150 degrees Celsius	\$90/point	\$90/point

[*Note:* According to the KDA, there are different categories for each of the echelons based on the size of weights and the degree of accuracy needed for the weights. For the category of up to 10 lb, that would apply to scales in grocery stores. The 10 lb to 50 lb category would be small feed manufacturing scales that would be used, for example, in pet food manufacturing. Larger weights would include grain cart scales or larger feed manufacturing scales.

Smaller metrology weights come in sets that are in a small box with multiple weights. Larger versions of these weights may be in sets or single weights (pieces or pc). Companies request calibrations to be done by the set or individual pieces. Adjustment fees are a separate charge, as adjustments take time for a metrology lab to complete. Adjustments are made by adding or subtracting lead shot to the weight's cavity.]

In addition, the bill would state that service that is not part of a routine calibration, including, but not limited to, cleaning or repairing a standard or performing non-routine calibration procedures, would be charged at a rate of \$120 per hour.

***Electric Vehicle Service Equipment (New Sections 23-24)***

The bill would require an owner or operator of electric vehicle (EV) supply equipment that is used for commercial purposes to have a device tested and inspected at least once per year. The testing and inspection would be conducted by either a licensed technical representative employed by a licensed service company, an authorized representative of any city or county that has established a department of public inspection of weights and measures, or by the Secretary of Agriculture (Secretary). This testing and inspection would be conducted in accordance with rules and regulations adopted by the Secretary.

If upon testing and inspection, the EV supply equipment is found to have not been tested and inspected for accuracy and approved within the preceding 365 days, the Secretary would take the EV supply equipment out of service, as required by continuing law.

Test weights and measures used by a technical representative employed by a licensed serviced company would have been approved and sealed by the Secretary within the preceding 365 days. Except at the option of a city or county that has an established department of public inspection of weights and measures, annual tests and inspections would be at the expense of the owner or operator.

When tests or inspections are conducted, a report showing the results of the tests or inspections would be promptly provided to the owner or operator. If the tests or inspections were not performed by the Secretary, the reports would also be sent to the Secretary, as required by rules and

regulations adopted by the Secretary, and no later than 10 days after the test or inspection has occurred.

The bill would require an owner or operator of EV supply equipment that is found to be inaccurate at the time of testing to withdraw the equipment immediately from further use until the necessary corrections adjustments or repairs are made and the Secretary, or technical representative employed by a licensed service company or a representative of a city or county weights and measures department, determines the EV supply equipment is accurate.

All EV supply equipment that has been repaired or serviced would be required to meet the tolerances and specifications adopted by the Secretary through rules and regulations.

Each service company and each city or county that performs tests and inspections would, within the time frame and in the manner established in rules and regulations by the Secretary, notify the Secretary of all EV supply equipment that has been installed, repaired, calibrated, or found not to comply with the tolerances and specifications and of all EV supply equipment that is not able to be serviced or repaired so as to comply with such tolerances and specifications.

The bill would require each service company to maintain at the service company's corporate headquarters or resident agent's office a copy of all reports regarding all installation, repair, calibration, adjustment, or other work that the service company or any technical representative employed by the service company has performed on EV supply equipment, including installation, repair, calibration, adjustment, or other work performed at the site where the EV supply equipment is used.

The reports would be legible and maintained in an accessible manner and for a period of time as established by the Secretary.

The bill would require that when the Secretary finds or is notified by a licensed service company, an authorized representative of the Secretary, or by a city or county department of public inspection of weights and measures that an EV supply equipment does not comply with tolerances and specifications adopted by the Secretary by rules and regulations, the Secretary could test the equipment for accuracy after repairs have been made.

### ***Reorganization of Statutes (New Sections 16-17)***

Currently, Chapter 83 of the *Kansas Statutes Annotated* regarding weights and measures is divided into five articles which contain many similar sections regarding definitions, licensing and regulations, penalties for violations, administrative procedures, and severability. The bill would consolidate and reorganize these sections into Articles 2 and 5 of Chapter 83 and repeal those sections.

### ***Technical and Conforming Amendments (Throughout)***

The bill would make technical and conforming amendments due to the reorganization of statutes.

### **Background**

The bill was introduced by the House Committee on Agriculture and Natural Resources at the request of the Deputy Secretary of Agriculture on behalf of the Kansas Department of Agriculture (KDA).

### ***House Committee on Agriculture***

In the House Committee hearing, **proponent** testimony was provided by the Deputy Secretary of Agriculture, who stated the regulation of weights and measures was first established in the *Articles of Confederation* and the *U.S.*

*Constitution.* For several years, the Weights and Measures Program of KDA has run at a deficit from the fees charged by the Program. The KDA has previously requested State General Fund funding to operate the Program, but did not receive those funds. Therefore, the agency is requesting an increase in fees to fund the Program.

Written-only proponent testimony was provided by a representative of the Kansas Cooperative Council.

Neutral testimony was provided by a representative of the Kansas Agribusiness Retailers Association and Kansas Grain and Feed Association.

No other testimony was provided.

The House Committee adopted a technical amendment.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDA indicates that enactment of the bill would have an effect on expenditures and revenues for agency operations.

With the increase in testing fees, estimated revenues would increase by \$135,422 from FY 2024; however, KDA estimates about 8.0 percent less small weight test kits may be received for testing than were received in FY 2024 because out of state users are anticipated to be more likely to utilize labs closer to home if the price is similar.

The KDA would not expect a significant decrease regardless of the price for precision and heavy weight mass echelons as other state labs are limited in their ability to perform certain echelon testing and certifications.

The KDA estimates the bill would increase expenditures by \$349,461 for FY 2026, including \$148,286 for lab

personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$17,254 for weights and measures equipment, and \$34,500 for weights and measures supplies.

The KDA estimates the bill would increase expenditures by \$393,461 for FY 2027, including \$148,286 for lab personnel, \$111,310 for lab overhead, \$15,993 for lab equipment, \$22,118 for lab maintenance, \$61,254 for weights and measures equipment, and \$34,500 for weights and measures supplies.

The KDA anticipates the bill would have a stable long-term effect for the duration of the life of the legislation by providing some additional income to meet the needs of the Weights and Measures Program, provide a more secure and adequate source of funding for rent and other overhead costs for the State Metrology Lab, and ensure lab equipment is adequately serviced and replaced as needed without the need to utilize other fee funds not designated for this purpose.

The Kansas Department of Transportation and Kansas Corporation Commission indicate the bill would have no fiscal effect.

Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

The League of Kansas Municipalities indicates the bill would have no fiscal effect. The Kansas Association of Counties indicates the bill would change weights and measures and could have some effect on counties, particularly those with several grain elevators. The effect, if any, would vary by county.

Weights and measures; fees; reports; equipment testing; licensure; electric vehicles; equipment repair