

HOUSE BILL No. 2205

By Committee on Agriculture and Natural Resources

2-8

1 AN ACT concerning weights and measures; relating to measuring
2 devices; amending K.S.A. 2010 Supp. 83-202 and repealing the
3 existing section.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 83-202 is hereby amended to read as
7 follows: 83-202. (a) Except as provided further:

8 (1) The system of weights and measures in customary use in the
9 United States and the metric system of weights and measures are jointly
10 recognized, and either one or both of these systems shall be used for all
11 commercial purposes in the state.

12 (2) The following standards and requirements shall apply to
13 commercial weighing and measuring devices:

14 (A) "The standards of the national conference on weights and
15 measures" published in the national institute of standards and technology
16 handbook 44 entitled specifications, tolerances, and other technical
17 requirements for weighing and measuring devices as published on
18 October, 1994 or later versions as established in rules and regulations
19 adopted by the secretary, except a mechanical vehicle scale used solely to
20 sell aggregate products shall be allowed a minimum tolerance of +/- 100
21 pounds. Such scale shall not be sold or moved to another location for use
22 in commercial applications unless it complies with all applicable
23 tolerances of the national institute of standards and technology handbook
24 44 entitled specifications, tolerances, and other technical requirements for
25 weighing and measuring devices as published in October, 1994 or later
26 versions as established in rules and regulations adopted by the secretary-
27 ~~This exception shall be in effect until June 30, 2011;~~

28 (B) "the uniform laws and regulations of the national conference on
29 weights and measures" published in the national institute of standards and
30 technology handbook 130 regarding packaging and labeling, the method
31 of sale of commodities, national type evaluation regulation, motor fuel
32 inspection and motor fuel regulation, as published on December, 1994 or
33 later versions as established in rules and regulations adopted by the
34 secretary;

35 (C) "checking the net contents of packaged goods" published in the
36 national institute of standards and technology handbook 133, third

1 edition, as published on September, 1988 or later versions as established
2 in rules and regulations adopted by the secretary;

3 (D) "checking the net contents of packaged goods" published in the
4 national institute of standards and technology handbook 133, third
5 edition, supplement 4, as published on October, 1994 or later versions as
6 established in rules and regulations adopted by the secretary; and

7 (E) any other handbooks or sections thereof as adopted by the
8 secretary by rules and regulations.

9 (b) Whenever there exists an inconsistency between the provisions
10 of chapter 83 of the Kansas Statutes Annotated, and amendments thereto,
11 and any of the handbooks adopted by reference, the requirements of
12 chapter 83 of the Kansas Statutes Annotated, and amendments thereto,
13 shall control.

14 Sec. 2. K.S.A. 2010 Supp. 83-202 is hereby repealed.

15 Sec. 3. This act shall take effect and be in force from and after its
16 publication in the statute book.

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