

PROPOSED REGULATION OF THE STATE
SEALER OF WEIGHTS AND MEASURES

LCB File No. R162-03

October 29, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-5, Section 41 of Senate Bill No. 485 of the 72nd Session of the Nevada Legislature, chapter 394, Statutes of Nevada 2003, at page 2321.

Section 1. NAC 582.010 is hereby amended to read as follows:

582.010 As used in this chapter, unless the context otherwise requires:

1. “Commodity” means anything that may be weighed in a commercial transaction.
2. “Conveyance” means vehicle, truck, railroad car, wagon, container or anything in which or upon which a commodity is being transported.
3. ~~“Gross weight” means the correct or actual combined weight of a commodity and its container or conveyance by which it is transported.~~
- ~~4. “Net weight” has the meaning ascribed to it in NRS 582.010.~~
- ~~5.] “Public weighmaster certificate” means a certificate of weights and measures issued by a public weighmaster.~~
4. “Tare weight” means the correct or actual weight of any conveyance by which a commodity is transported and excludes the weight of a commodity.

Sec. 2. NAC 582.040 is hereby amended to read as follows:

582.040 ~~{+}~~ All weights recorded on a public weighmaster certificate by a public weighmaster or his deputy public weighmaster must be determined by weighing on the scale operated by the public weighmaster issuing the certificate.

~~[2.— For the purpose of the certification of any weight, the entire weight of the conveyance must rest upon the scale.~~

~~—3.— When weighing a combination of conveyances that will not rest on the scale platform at one time, the combination must be disconnected and weighed separately. The weights so taken may be combined for the purpose of issuing a single weight certificate.]~~

Sec. 3. NAC 582.050 is hereby amended to read as follows:

582.050 1. A vehicle or other conveyance ~~[shall]~~ **must** be weighed by a public weighmaster or his deputy public weighmaster for each tare weight certification recorded except as **otherwise** provided ~~[for]~~ in subsection 2.

2. A single tare weight per hauling vehicle or other conveyance may be used in determining the net weight of several loads of commodities, such as sand and gravel, when hauled to one customer ~~[;]~~ if the tare weight for each vehicle is determined ~~[prior to]~~ **before** hauling the first load in the morning and again after 1 p.m. each day.

3. A tare weight is valid for a period of 48 hours when used to determine the net weight of a commodity on a single commercial transaction.

4. *As used in this section, “net weight” has the meaning ascribed to it in section 6 of Senate Bill No. 485 of the 72nd Session of the Nevada Legislature, chapter 394, Statutes of Nevada 2003, at page 2313.*

Sec. 4. NAC 582.060 is hereby amended to read as follows:

582.060 1. The form of a public weighmaster ~~[weight]~~ certificate must be submitted by a public weighmaster to the State Sealer of Weights and Measures for approval ~~[prior to]~~ **before** the printing of a supply of ~~[weight]~~ certificates.

2. A public weighmaster certificate must contain all information applicable to the transaction.
3. When issuing a public weighmaster certificate for gross weight only or tare weight only , the words “gross only” ~~{shall}~~ *may* be entered in the space provided for recording the tare weight , ~~{or}~~ the words “tare only” ~~{shall}~~ *may* be entered in the space provided for recording the gross weight or all unused spaces ~~{shall}~~ *must* be deleted by drawing a line through the unused spaces.
4. All information recorded must be neat, clear and complete.
5. The weighmaster or deputy weighmaster shall sign the certificate with his complete name.
6. The vehicle license number must be recorded in the proper space on the form.
7. In the case of a vehicle weighed for licensing purposes, the words “for licensing” must be written in the space provided for license numbers.
8. In the case of a vehicle or other equipment that does not display a license plate, the vehicle or equipment must be identified by other means, such as equipment number or description.
- 9. As used in this section, “gross weight” means the correct or actual combined weight of a commodity and the container or conveyance by which it is transported.***

Sec. 5. This regulation becomes effective on January 1, 2004, or on the date on which this regulation is filed with the Secretary of State, whichever occurs later.