

2017 -- S 0097

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO WEIGHTS AND MEASURES - PRODUCE SCALES IN MARKETS

Introduced By: Senators Kettle, and Morgan

Date Introduced: February 01, 2017

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 47-2-7 of the General Laws in Chapter 47-2 entitled "Produce  
2 Scales in Markets" is hereby amended to read as follows:

3 **47-2-7. Fees and compensation of sealer -- Condemnation of incorrect scales or**  
4 **balances.**

5 (a) The sealer of weights and measures, in any town or city, shall receive ~~a~~ the same fee  
6 as any state sealer appointed by the state and no less than a fee of twenty-five cents (25¢) for  
7 every weight, wine, or dry measure, sealed by him or her at his or her office; the sealer shall  
8 receive a fee of twenty-five cents (25¢) for every yardstick or yard measure sealed by him or her;  
9 for sealing every spring balance of a capacity less than one hundred pounds (100 lbs.) the sealer  
10 shall receive a fee of two dollars (\$2.00), for every spring balance of a capacity of one hundred  
11 (100) and less than five hundred pounds (500 lbs.), three dollars (\$3.00); for every platform scale  
12 of a capacity of five thousand pounds (5,000 lbs.) or more, five dollars (\$5.00); for every balance  
13 of a capacity of less than five thousand pounds (5,000 lbs.), two dollars (\$2.00); for every steel  
14 yard of a capacity of fifty pounds (50 lbs.) or less, one dollar (\$1.00); and for every steel yard of a  
15 capacity over fifty pounds (50 lbs.), two dollars (\$2.00); every scale or balance used for weighing  
16 people shall be tested, and if found correct shall be sealed, by the sealer, and he or she shall  
17 receive a fee of two dollars (\$2.00) for each and every scale or balance so sealed. If any of the  
18 scales or balances are found to be incorrect, then they shall be condemned and their use forbidden  
19 as hereinbefore provided. For proving and sealing coal and wood baskets, he or she shall receive

1 a fee of fifty cents (50¢) each, and for every charcoal basket so sealed, sixty cents (60¢); he or she  
2 shall also have a reasonable compensation for all repairs, alterations, and adjustments which it  
3 may be necessary for the sealer to make, made by him or her, and for the expenses incurred in  
4 visiting any place, as provided for in § 47-2-5. These fees and compensation shall be paid to the  
5 sealer by the person owning or using the weights, measures, or balances so adjusted and sealed.  
6 Every person violating the provisions of this section shall be fined not exceeding one hundred  
7 dollars (\$100) for each offense, one-half (1/2) thereof to go to the town or city and one-half (1/2)  
8 to the complainant. All the fees received by any sealer of weights and measures of any town or  
9 city shall be retained by him or her as compensation for his or her services except as hereinafter  
10 provided. Any town or city council may, at any time, by ordinance fix an annual salary for the  
11 sealer of weights and measures of the town or city, and in that case the fees received by him or  
12 her shall be paid over by him or her to the town or city treasurer, at the time or times prescribed  
13 by any ordinance of the town or city.

14 (b) (1) For every spring balance or balance scale of a capacity of less than ten pounds (10  
15 lbs.), he or she shall receive a fee of five dollars (\$5.00); for every spring balance or balance scale  
16 of a capacity of more than ten pounds (10 lbs.) and less than one hundred pounds (100 lbs.), he or  
17 she shall receive a fee of six dollars (\$6.00); for every spring balance, balance scale, or platform  
18 scale of a capacity of more than one hundred pounds (100 lbs.) and less than one thousand pounds  
19 (1,000 lbs.), he or she shall receive a fee of ten dollars (\$10.00).

20 (2) If any of the scales or balances are found to be incorrect, they shall be condemned and  
21 their use forbidden as hereinbefore provided.

22 SECTION 2. Section 47-8-1 of the General Laws in Chapter 47-8 entitled "Gasoline and  
23 Petroleum Products" is hereby amended to read as follows:

24 **47-8-1. Testing of measuring devices -- Forbidding use -- Fee.**

25 (a) The director of the department of labor and training is hereby authorized and directed  
26 to have tested all gasoline measuring devices used in the sale of gasoline, from time to time, as in  
27 his or her judgment it may be deemed necessary, to prevent fraud or deception in the use of these  
28 devices or to insure the accurate measurement of gasoline in the sale.

29 (b) Any town or city sealer of weights, measures, and balances shall have authority to  
30 condemn and forbid the use of any gasoline measuring device for the sale of gasoline in his or her  
31 respective town or city, or until the device has been duly tried and sealed, or until the gasoline  
32 measuring device has been equipped with such an attachment, contrivance, or apparatus as will  
33 insure the correct and proper functioning of the measuring device for the sale of the gasoline by  
34 accurate measurement.

1           (c) ~~For the testing and sealing of a gasoline measuring device, a fee of five dollars (\$5.00)~~  
2 ~~shall be paid unless otherwise stated in § 47-1-5.1;~~ The sealer of weights and measures in any  
3 town or city shall receive the same fee as any state sealer, appointed by the state, as stated in §47-  
4 1-5.1, except in the city of Providence where the sealer shall have the authority to remove and  
5 replace any lead seal on any gasoline measuring device and to charge an additional fee of five  
6 dollars (\$5.00) for that service.

7           SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO WEIGHTS AND MEASURES - PRODUCE SCALES IN MARKETS

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1           This act would require sealers of weights and measures appointed by the cities and towns  
2 to receive the same fees as charged by state sealers who perform the same inspecting/testing  
3 services.

4           This act would take effect upon passage.

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