

HOUSE BILL NO. 591

INTRODUCED BY R. OSMUNDSON

BY REQUEST OF THE HOUSE JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL
GOVERNMENT

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING FEES FOR LICENSING OF WEIGHING DEVICES;
AMENDING SECTION 30-12-203, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 30-12-203, MCA, is amended to read:

"30-12-203. Licensing of weighing devices. (1) A person may not knowingly operate or use an
unlicensed weighing device in trade or commerce for ascertaining the weight of any commodity.

(2) A license must be obtained by applying to the department upon a form provided by the department.
Each license must require at least one inspection a year.

(3) An application must be accompanied by the proper fee as established by this section, except that
fees may be paid by credit card and may be discounted for payment processing charges paid by the department
to a third party.

WEIGHING DEVICES

Capacity	Fees
499 pounds or less	\$16 <u>\$20</u>
500 pounds through 1,999 pounds	26 <u>\$33</u>
2,000 pounds through 7,999 pounds	54 <u>\$64</u>
8,000 pounds through 60,000 pounds	130 <u>\$165</u>
60,001 pounds or more	225 <u>\$280</u>

(4) The capacity of a weighing device must be determined by the manufacturer's rated capacity.

(5) (a) All licenses are annual and, except for those described in subsection (5)(b), expire on the
anniversary date established by rule by the board of review established in 30-16-302.

(b) Licenses for on-farm scales expire at the end of the calendar year.

1 (6) (a) A late renewal fee equal to 50% of the renewal license fee established in subsection (3) must be
2 assessed if the fee is not paid:

3 (i) for on-farm scales, before the first day of the sixth month of the year in which the license fee is due;

4 or

5 (ii) for all other licenses, within 60 days of the anniversary date.

6 (b) If the fee is not paid by the respective due date listed in subsection (6)(a), the weighing device may
7 be sealed and removed from service by the department.

8 (c) A person may not use a weighing device that has been removed from service or break the seal on
9 a device removed from service until all fees have been paid.

10 (7) The fees must be deposited to the state special revenue fund of the department for use in the
11 administration and enforcement of this part."

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13 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2013.

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