

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0210

SENATE BILL NO. 29

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain fees for special inspections and examination
2 of certain weighing and measuring devices and certain standards and testing equipment.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 37-21-9.1 be amended to read as follows:

5 37-21-9.1. The Division of Commercial Inspection and Regulation shall charge and collect
6 a maximum ten dollar fee for each inspection and testing of any weight, measure, and weighing
7 and measuring device. The fee shall be paid upon demand of the division by the person, firm, or
8 corporation owning or operating the weight, measure, or weighing or measuring device
9 inspected or tested. ~~However, a~~ A maximum fee of five dollars shall be charged and collected
10 for each inspection and testing of gasoline and diesel stationary fuel pump meters. A maximum
11 fee of fifteen dollars shall be charged and collected for each inspection and testing of gasoline
12 and diesel high speed stationary fuel pump meters. A maximum fee of fifteen dollars shall be
13 collected for refined fuel truck meters. If a special or emergency inspection is requested, a
14 charge, based on travel time and expense shall be made and assessed against the requesting
15 individual or device owner. ~~Such~~ The fee may not exceed ~~twenty~~ eighty dollars per hour, in



1 addition to a fee of ~~forty~~ one dollar and fifty cents per mile. All fees shall be promulgated by the
2 secretary of commerce and regulation pursuant to chapter 1-26.

3 Section 2. That § 37-21A-7 be amended to read as follows:

4 37-21A-7. A registered serviceman and a registered service agency shall submit, annually to
5 the director, for ~~his~~ examination and certification, any standards and testing equipment that are
6 used, or are to be used, in the performance of the service and testing functions with respect to
7 weighing and measuring devices for which competence is registered. No registered ~~serviceman~~
8 service person or agency may use in servicing any commercial weighing or measuring device any
9 standards or testing equipment that have not been certified by the director. The Department of
10 Commerce and Regulation shall charge a fee not to exceed eighty dollars per hour for
11 examination of the equipment. The fee shall be promulgated by the secretary of commerce and
12 regulation pursuant to chapter 1-26.

13 Section 3. That § 37-22-10 be amended to read as follows:

14 37-22-10. The Division of Commercial Inspection and Regulation shall charge and collect
15 a fee for each inspection or testing of scales. The fee shall be paid upon demand of the division
16 by the person, firm, or corporation owning or operating the scale inspected or tested. The
17 maximum schedule of fees is as follows:

- 18 (1) Up to and including 2,000 pounds capacity -- fifteen dollars;
- 19 (2) 2,001 to 5,000 pounds capacity, inclusive -- twenty-five dollars;
- 20 (3) 5,001 to 40,000 pounds capacity, inclusive -- sixty dollars;
- 21 (4) Over 40,000 pounds capacity -- seventy-five dollars;
- 22 (5) All livestock scales -- one hundred dollars.

23 If a special or emergency inspection is requested, a charge, based on travel time and expense
24 shall be made and assessed against the requesting individual or device owner. The fee may not

1 exceed ~~twenty~~ eighty dollars per hour, in addition to a fee of ~~forty~~ one dollar and fifty cents per
2 mile. The fees shall be promulgated by the secretary of commerce and regulation pursuant to
3 chapter 1-26.