

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0210

SENATE COMMERCE COMMITTEE ENGROSSED NO.

**SB 29** - 02/01/2002

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~~ not to exceed the actual cost of such inspection,



1 including costs for personnel, equipment, and mileage, shall be made and assessed against the  
2 requesting individual or device owner. ~~Such fee may not exceed twenty dollars per hour, in~~  
3 ~~addition to a fee of forty cents per mile.~~ All fees, except those for special or emergency  
4 inspection, shall be promulgated by the secretary of commerce and regulation pursuant to  
5 chapter 1-26.

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

7 37-21A-7. A registered serviceman and a registered service agency shall submit, annually to  
8 the director, for ~~his~~ examination and certification, any standards and testing equipment that are  
9 used, or are to be used, in the performance of the service and testing functions with respect to  
10 weighing and measuring devices for which competence is registered. No registered ~~serviceman~~  
11 service person or agency may use in servicing any commercial weighing or measuring device any  
12 standards or testing equipment that have not been certified by the director. The Department of  
13 Commerce and Regulation shall charge a fee not to exceed the actual cost of such inspection,  
14 including costs for personnel, equipment, and mileage.

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

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

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

1        If a special or emergency inspection is requested, a charge, ~~based on travel time and expense~~  
2        not to exceed the actual cost of such inspection, including costs for personnel, equipment, and  
3        mileage, shall be made and assessed against the requesting individual or device owner. ~~The fee~~  
4        ~~may not exceed twenty dollars per hour, in addition to a fee of forty cents per mile. The fees shall~~  
5        ~~be promulgated by the secretary of commerce and regulation pursuant to chapter 1-26.~~