Chapter 16-674 WAC
WEIGHTS AND MEASURES—EXEMPTIONS, WEIGHMASTERS AND DEVICE REGISTRATION
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WAC 16-674-010 Exemptions and definitions. (1) The weighing or measuring instruments or devices listed below are exempted from the sealing or marking inspection and testing requirements of RCW 19.94.163, because they are of such character or size that such sealing or marking would be inappropriate, impractical, or damaging to the apparatus in question:

(a) Measure containers
(b) Milk bottles
(c) Lubricating oil bottles
(d) Berry baskets and boxes.

(2) Unless the context clearly requires otherwise, the definitions provided for in chapter 19.94 RCW and in this section shall apply to this chapter.

(a) "Commercial weighing or measuring device" shall be construed to include any weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services ren-

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dered on the basis of weight or measure. It shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects the accuracy of the device.

(b) "Owner" shall be construed to mean the individual or business actually using a weighing or measuring device for commercial purposes, regardless of who is the legal owner or lien holder of such device.

[Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR 02-15-141, § 16-674-010, filed 7/22/02, effective 8/22/02. Statutory Authority: 1995 c 355 §§ 1, 2, 3, 4, 9, 10, 15 and 16. WSR 96-01-040, § 16-674-010, filed 12/13/95, effective 1/13/96. Statutory Authority: 1992 c 237. WSR 93-03-079, § 16-674-010, filed 1/19/93, effective 2/19/93; Order 1145, § 16-674-010, filed 2/27/70, effective 4/1/70; Order 792, Regulation 3, effective 3/1/60.]

WAC 16-674-030 Weighmaster license issuance, expiration and fees. (1) Weighmaster licenses issued under RCW 15.80.460 shall expire on June 30th following the date of issuance.

(2) Upon expiration, suspension or revocation of the license, the weighmaster must surrender their impression seal to the director or his/her representative within ten days if they do not renew their license, if their license is suspended or if their license is revoked. The seal may be surrendered by sending the seal to the department or by surrendering the seal to the director or his/her duly appointed representative.

(3) Businesses or individuals applying to renew their license or applying for their initial license with the department must have a current bond in the amount specified in RCW 15.80.480 and that bond must remain in force and effect for not less than the entire licensing period.

(4) Weighing and measuring devices used by weighmasters are considered to be in commercial use and must be registered. Registrations are accomplished through the department of licensing as part of the master license service under chapter 19.02 RCW.

(5) Proof of a scale test within the last twelve months must be submitted with the application.

(6) Applications must be submitted with the proper fees as specified in chapter 15.80 RCW.

(7) Applications received without subsections (3), (4), (5) and (6) of this section will be considered incomplete applications and will be returned to the applicant.

WAC 16-674-040  Weighmaster license—Late renewal penalty.  (1) Renewal applications for weighmaster licenses issued under chapter 15.80 RCW not filed by July 1st of any one year are subject to a penalty of fifty percent of the renewal fee as provided by RCW 15.80.470.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

WAC 16-674-050  Weigher license.  Weigher licenses issued under RCW 15.80.500 shall expire on June 30th following the date of issuance.

WAC 16-674-055  Weighing and measuring devices.  (1) Weighing and measuring devices used by weighmasters must meet all legal requirements for commercial weighing and measuring devices.

(2) Weighmaster scales must be tested not less than every twelve months and must conform to the tolerances and specifications in the edition of NIST Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," adopted by the department in chapter 16-662 WAC. Inspections must be performed by either service agents registered with the department or by the department. The department is under no obligation to provide this inspection service.

(3) A legible copy of the current scale inspection and current master business license must be maintained at the same site as the scale and must be immediately made available to the director or his representative upon request.

WAC 16-674-095  Device registration.  (1) All weighing or measuring devices used for commercial purposes in the state shall be registered annually. Devices in commercial use within a city having a city...
sealer and a weights and measures program that has adopted registra-
tion fees shall be registered with the city. Devices used commercially
outside of such city shall register with the department. If the com-
mercial use of the device is within such city that has not adopted
fees, the device shall be registered with the department.

(2) The device registration fees established in RCW 19.94.175
shall apply unless a city jurisdiction has adopted separate registra-
tion fees for devices used within its jurisdiction. Cities may estab-
lish separate annual registration fees for devices within city juris-
dictions; however, they may not exceed the fees in RCW 19.94.175 for
registering the use of a similar instrument or device. Payment of the
device registration fee constitutes registration. Cities shall notify
the department of agriculture regarding the adoption of fee levels and
any changes in fees.

(3) All device registrations with the department shall be accom-
plished as part of the department of licensing, master license system
under chapter 19.02 RCW. Devices shall be initially registered at the
time the owner applies for a master license for a new business or when
the device is first placed into commercial use. Device registrations
with a city may be accomplished through the master licensing system
with a letter of request for implementation assistance from the city
to the department of agriculture.

(4) The department of licensing shall remit to the department of
agriculture all registration fees collected less reasonable collection
expenses. The department of agriculture shall forward to the city that
portion of fees attributable to city registrations.

[Statutory Authority: RCW 19.94.010, 19.94.190, and 15.18.410. WSR
02-15-141, § 16-674-095, filed 7/22/02, effective 8/22/02. Statutory
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