

VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

CHAPTER 671

An Act to amend and reenact §§ 3.1-969.7, 3.1-969.10, and 3.1-969.12 of the Code of Virginia, relating to weights and measures.

[H 2816]

Approved March 20, 2007

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.1-969.7, 3.1-969.10, and 3.1-969.12 of the Code of Virginia are amended and reenacted as follows:

§ 3.1-969.7. Examination and verification of standards and calibrating equipment.

Every service agency shall submit *any weights or measures standard and calibrating equipment used or to be used by the service agency to the Commissioner for examination and verification*, in accordance with a schedule established by regulation, ~~to the Commissioner for examination and verification, any weights or measures standard and calibrating equipment used or to be used by the service agency.~~ Any weights or measures standard or calibrating equipment calibrated by the weights and measures laboratory of another state, of a territory, or of a protectorate of the United States shall be deemed to be properly calibrated and hence lawful for use in Virginia if the service agency proffering for use the weights or measures standard or calibrating equipment can demonstrate the traceability of the weights or measures standard or calibrating equipment.

§ 3.1-969.10. Service of weights and measures; repair.

A. Any registered service agency or any certified service technician in the employ of the service agency may: (i) place into service, subject to random official inspection, a new or used weight or measure and (ii) following corrective repair, remove *and destroy* any rejection tag or condemnation tag and return the weight or measure to service.

B. A service agency or service technician in the employ of the service agency exercising authority under subsection A of this section shall adjust any weight or measure governed by subsection A as closely as practicable to zero error.

§ 3.1-969.12. Service report.

Every service agency shall furnish each service technician in its employ with a supply of report forms entitled "Placed into Service Report" prescribed by the Commissioner. Within ~~48 hours~~ *five business days* after its service technician has placed in or restored to service a weight or measure, the service agency shall provide to the Commissioner a fully executed Placed into Service Report, ~~together with any rejection tag or condemnation tag removed from the weight or measure.~~ The service agency shall provide a copy of the fully executed Placed into Service Report to the owner or operator of the weight or measure and shall retain for a period of one year, reckoned from the date of execution, a copy of the fully executed Placed into Service Report, which is subject to inspection by the Commissioner. The Commissioner may accept the Placed into Service Report as sufficient to meet the statutory testing and inspection requirements in § 3.1-928.