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**HOUSE BILL NO. 472****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on January 27, 2016)

(Patron Prior to Substitute—Delegate Tyler)

*A BILL to amend and reenact §§ 3.2-5703 and 3.2-5707 of the Code of Virginia, relating to service agencies and technicians; security seal and service technician certification qualifications.*

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 3.2-5703 and 3.2-5707 of the Code of Virginia are amended and reenacted as follows:**

**§ 3.2-5703. Registration of service agency.**

A. A service agency shall not operate in the Commonwealth without first obtaining registration issued annually by the Commissioner. The application for registration as a service agency or renewal of application shall be made in writing on a form ~~supplied~~ *approved* by the Commissioner.

B. Each application for registration or renewal shall contain:

1. The name of the service agency, including any fictitious names under which it intends to operate;
2. The principal business address of the service agency;
3. The name of every person functioning as a service technician in the Commonwealth who is in the employ of the service agency;
4. Documentation of verification pursuant to § 3.2-5706 of the weights or measures standards and calibrating equipment used or to be used by the service agency; ~~and~~
5. The fee required by § 3.2-5704; *and*
6. *Proof of a uniquely identifiable security seal for the service agency.*

~~B.~~ C. The Commissioner may deny, suspend, or revoke any registration or renewal if the application is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for registration or renewal that he knows to be false or fraudulent.

**§ 3.2-5707. Certification of service technicians.**

A. A person shall not be certified as a service technician unless the service technician is employed by a registered service agency. Every service technician shall obtain certification by the Commissioner before operating in the Commonwealth and shall renew the certification annually. The application for certification as a service technician or renewal shall be made in writing on a form ~~supplied~~ *approved* by the Commissioner.

B. Each application for certification or renewal thereof shall contain:

1. The full name of the applicant;
2. The name of the service agency employing the applicant;
3. The principal business address of the service agency that employs the service technician;
4. Presentation of *valid* proof of completion of a course of training related to weights and measures offered by the Commissioner; or, in the absence of a training course offered by the Commissioner, a training course approved by the Commissioner. Except as otherwise provided by regulation, ~~such training course proof of completion of a course of training~~ shall be valid for a period of three years ~~after the date of taking the course~~. *The Commissioner shall not require each application for renewal of a service technician certification to contain a valid proof of completion of a course of training related to weights and measures unless such course is offered by the Commissioner in an electronic format that is available to the applicant online. The Commissioner shall not charge a fee to enroll in the Commissioner's course of training related to weights and measures required for renewal of a service technician certification;*
5. The fee required by § 3.2-5708; and
6. A declaration by the applicant that the applicant has the authority to be lawfully employed in the United States.

~~B.~~ C. The Commissioner may deny, suspend, or revoke any certification or renewal if the application for certification is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for certification or renewal that he knows to be false or fraudulent.

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