

SESSION OF 2005

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2103

As Amended by Senate Committee on
Agriculture

Brief*

HB 2103 would modify an exemption in current law relating to vehicle scales used to weigh aggregate products. Specifically, the bill would allow mechanical vehicle scales used solely to sell aggregate products to have a minimum tolerance of +/- 100 pounds. These scales could not be sold or moved to another location for use in commercial applications unless the scales comply with all applicable tolerances of Handbook 44, which is the national guide for specifications, tolerances, and other technical requirements for weighing and measuring devices. This exception would be in effect until June 30, 2011.

Background

This bill was introduced at the request of a spokesperson from the Kansas Aggregate Producers Association. At the hearing on the bill, a representative of the Association indicated that the exemption was scheduled to expire on August 31, 2005, and that the Association had taken the issue of this type of exemption to the national organization which makes recommendations for changes in the tolerances and specifications for weighing and measuring devices. The Committee was told that the Association's effort was unsuccessful. A spokesperson from the Kansas Department of Agriculture (the state agency responsible for the accuracy of weighing and measuring devices in the state) stated that the agency was opposed to the original bill because it provides unwarranted special consideration for one segment of industry.

The House Committee on Agriculture amended the bill to make the exemption apply to those vehicle scales manufactured prior to 1994

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

used solely for the purpose of weighing aggregate products where volumes average less than 100,000 tons per year.

The Senate Committee on Agriculture amended the bill by eliminating all of the previous amendatory language. In its place, the Committee provided an exception to the tolerance of the National Institute of Standards and Tolerance (Handbook 44) for certain mechanical scales used to weigh aggregate product. The minimum tolerance would be +/- 100 pounds. The scale could not be moved or sold. The exception would be in effect until June 30, 2011.

The fiscal note on the original bill indicates that there would be no fiscal impact.