

New Jersey Register  
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**MONDAY, JUNE 7, 2004**  
**RULE ADOPTION**  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
OFFICE OF WEIGHTS AND MEASURES  
SCALES, INSTRUMENTS AND DEVICES; WEIGHTS AND MEASURES

Readoption with Amendments: N.J.A.C. 13:47B

Proposed: February 17, 2004 at 36 N.J.R. 914(a).

Adopted: April 22, 2004 by Louis E. Greenleaf, State Superintendent, Office of Weights and Measures.

Filed: May 14, 2004 as R.2004 d.216, without change.

Authority: N.J.S.A. 51:1-61.

Effective Dates: May 14, 2004, Readoption;

June 7, 2004, Amendments.

Expiration Date: May 14, 2009.

**Summary of Public Comment and Agency Response:**

No comments were received.

**Federal Standards Statement**

A Federal standards analysis is not required because the rules readopted with amendments are governed by N.J.S.A. 51:1-61. Although the rules are not subject to any mandated Federal requirements or standards, the Office has voluntarily adopted by reference the standards developed by the National Institute of Standards and Technology (NIST) Handbook 44 for weighing and measuring devices in the State of New Jersey.

Full text of the readoption can be found in the New Jersey Administrative Code at N.J.A.C. 13:47B.

Full text of the adopted amendments follows:

<< NJ ADC 13:47B-1.5 >>

**13:47B-1.5 Type approval**

(a) All new types of weighing and measuring devices of any description whatsoever and all devices of older types to which may be added any alteration or new feature intended or designed as an improvement to such equipment shall, before distribution or installation thereof in the State of New Jersey, be submitted by the manufacturer thereof to the State Superintendent of Weights and Measures for inspection and approval of type and operation, except as provided in (a)1 below.

1. Weighing and measuring devices approved by the National Institute of Standards and Technology (NIST), National Type Evaluation Program (NTEP) need not be submitted for prior inspection and approval of type and operation; however, the Superintendent reserves the right to require the manufacturer to submit a prototype for evaluation at any

time for cause.

(b)-(c) (No change.)

<< NJ ADC 13:47B-1.9 >>

**13:47B-1.9 Portable self-contained vehicle scales**

(a)-(b) (No change.)

(c) The use of portable self-contained vehicle scales may be permitted on construction projects where a contract requires on-site weighings; and where the weighings are performed by a New Jersey Weighmaster appointed pursuant to N.J.S.A. 51:1-74; and subject to the following requirements:

1.-3. (No change.)

4. The installation is constructed pursuant to the National Institute of Standards and Technology Handbook 44, section 2.20, Scales, paragraph UR. 2.6.1(c) incorporated by reference in N.J.A.C. 13:47B-1.20. The standard may be obtained by contacting the United States Department of Commerce, National Institute of Standards and Technology, PO Box 4025, Gaithersburg, MD 20899; and

5.-6. (No change.)

7. The scale shall be inspected at a minimum of once daily to ensure that it is operating properly.

(d) (No change.)

<< NJ ADC 13:47B-1.20 >>

**13:47B-1.20 National Institute of Standards and Technology Handbook 44**

All specifications, tolerances and other technical requirements for weighing and measuring devices contained in the National Institute of Standards and Technology Handbook 44, 2001 edition and all future editions together with all amendments and supplements thereto, adopted by the National Conference on Weights and Measures are hereby adopted and promulgated as the legal requirements for all weighing and measuring devices used for commercial purposes and law enforcement in the State of New Jersey; provided, however, that the Superintendent of the Office of Weights and Measures of the Division of Consumer Affairs, Department of Law and Public Safety may from time to time further amend or supplement said specifications, tolerances and other technical requirements for the purpose of conforming the needs of any situation affecting the interests of the State and its people.