

1989 Assembly Bill 532

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1989 WISCONSIN ACT 165

AN ACT to amend 98.02 (1), 98.03, 98.25 (1), 347.44 (1) (a) and 348.01 (2) (am) of the statutes, relating to: changing statutory references from national bureau of standards to national institute of standards and technology (suggested as remedial legislation by the department of agriculture, trade and consumer protection).

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of agriculture, trade and consumer protection and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 98.02 (1) of the statutes is amended to read:

98.02 (1) The system of weights and measures in customary use in the United States or the metric system of weights and measures shall be the only systems used for commercial purposes in this state. The definitions of basic units of weight and measure, the tables of weight and measure, and weights and measures equivalents, published by the national ~~bureau of standards~~ institute of standards and technology, shall govern weighing and measuring equipment and transactions in this state.

SECTION 2. 98.03 of the statutes is amended to read:

98.03 State standards; specifications and tolerances. (1) Weights and measures obtained by the state as standards and certified for use as such by the national ~~bureau of standards~~ institute of standards and technology shall be the state standards of weight and measure. They shall be in the custody of the department and shall be used only for verification of other standards.

(2) The department may issue rules governing the construction, installation and use of commercial weights and measures and prescribing tolerances therefor. The

specifications, tolerances and regulations for commercial weighing and measuring devices issued by the national ~~bureau of standards~~ institute of standards and technology shall apply in this state except as modified by such rules.

SECTION 3. 98.25 (1) of the statutes is amended to read:

98.25 (1) The owner or operator of a scale with a weighing capacity of 5,000 pounds or more used for the commercial weighing of commodities shall cause the scales to be tested and inspected annually for accuracy by an independent scale testing or service company in accordance with specifications, tolerances, standards and procedures established by the national ~~bureau of standards~~ institute of standards and technology and the department for the testing and examination of scales, using test weights approved by the department. The annual tests and inspections shall be at the expense of the owner or operator.

SECTION 4. 347.44 (1) (a) of the statutes is amended to read:

347.44 (1) (a) With the exception of trim, the body, including hood, fenders, cowl and roof shall be painted a uniform color, national school bus glossy yellow, according to national ~~bureau of standards~~ institute of standards and technology specifications;

SECTION 5. 348.01 (2) (am) of the statutes is amended to read:

348.01 (2) (am) "Certified stationary scale" means a stationary scale which is tested and inspected annually for accuracy by the department of agriculture, trade and

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consumer protection or other authorized testing agency in accordance with specifications, tolerances, standards and procedures established by the national ~~bureau of standards~~ institute of standards and technology and the department of agriculture, trade and consumer protection for the testing and examination of scales.

NOTE: This bill replaces all references to the federal national bureau of standards with references to the

national institute of standards and technology. The replacement was recommended by the U.S. department of commerce to properly identify the federal agency whose standards the state incorporates by reference in the state weights and measures law. The name change for the federal agency was enacted as part of the federal omnibus trade and competitiveness act, signed August 23, 1988 [15 USC 272 (P.L.100-415, ss. 5111 & 5112)].