



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3170

Introduced 2/24/2011, by Rep. Norine Hammond

#### SYNOPSIS AS INTRODUCED:

225 ILCS 470/10

from Ch. 147, par. 110

Amends the Weights and Measures Act. Provides that an inspector shall notify a quarry 24 hours before the day the inspector intends to perform an aggregate scale inspection of a quarry's scale or scales. Provides that if an aggregate scale at a quarry is 1% of the test weight or less outside the tolerance level, then the aggregate scale operator shall be allowed 7 days to have the scale calibrated before being required to cease operations of the scale. Provides procedures for recertification of a scale if it exceeds tolerance levels 3 or more times in a 24-month period. Effective immediately.

LRB097 10817 CEL 51281 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Weights and Measures Act is amended by  
5 changing Section 10 as follows:

6 (225 ILCS 470/10) (from Ch. 147, par. 110)

7 Sec. 10. Inspection.

8 (a) Unless otherwise provided by law, the Director may  
9 inspect and test all weights and measures held, offered, or  
10 exposed for sale to ascertain if they are correct. The Director  
11 shall, within each period of 12 months or more frequently if  
12 necessary, inspect and test all law enforcement scales used to  
13 determine vehicle weights and all weights and measures  
14 commercially used (1) in determining the weight, measurement,  
15 or count of commodities or things sold or offered or exposed  
16 for sale on the basis of weight, measure, or count or (2) in  
17 computing the basic charge or payment for services rendered on  
18 the basis of weight, measure, or count to ascertain if they are  
19 correct. However, with respect to single-service devices  
20 (meaning those designed to be used commercially only once and  
21 then discarded) and devices uniformly mass-produced, as by  
22 means of a mold or die, and not susceptible to individual  
23 adjustment, such tests may be made on representative samples of

1 these devices. The lots of which such samples are  
2 representative shall be held to be correct or incorrect upon  
3 the basis of the results of the inspections and tests on the  
4 samples.

5 (b) An inspector shall notify a quarry 24 hours before the  
6 day the inspector intends to perform an aggregate scale  
7 inspection of a quarry's scale or scales. If the aggregate  
8 scale at a quarry is 1% of the test weight or less outside the  
9 tolerance level, then the aggregate scale operator shall be  
10 allowed 7 days to have the scale calibrated before being  
11 required to cease operations of the scale. If an inspector  
12 finds a scale that exceeds tolerances and it is the quarries  
13 first or second offense, then the inspector shall use the  
14 normal tolerances when retesting. If the scale exceeds  
15 tolerances 3 or more times in a 24-month period, the inspector  
16 shall retest the scale and the scale will have to meet one-half  
17 the normal tolerances to be recertified.

18 (Source: P.A. 96-1333, eff. 7-27-10.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.