

House Bill 2057

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Increases maximum fees for commercial weighing or measuring instruments or devices. Limits rate of fee increases during licensing periods beginning before July 1, 2026.

A BILL FOR AN ACT

1
2 Relating to State Department of Agriculture maximum license fees; creating new provisions; and
3 amending ORS 618.136 and 618.141.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 618.136 is amended to read:

6 618.136. (1) The license fee for each type or class of commercial weighing or measuring instru-
7 ment or device shall be established by the State Department of Agriculture in an amount not to
8 exceed the maximum limits [*set forth in*] **under** ORS 618.141. Such fees shall be established in the
9 amounts necessary for the department to carry out and enforce the provisions of ORS 618.010 to
10 618.246 relating to the supervision of commercial weighing and measuring instruments or devices,
11 and to maintain an emergency fund with an unencumbered balance in an amount not to exceed the
12 cost of administering ORS 618.010 to 618.246 during a representative four-month period in order to
13 [*assure*] **ensure** the orderly supervision of commercial weighing and measuring instruments or de-
14 vices within this state.

15 (2) License fees become past due July 1 each year for renewals, and on the date of first com-
16 mercial use for original installations.

17 (3) **Except as provided in this subsection, the department may not establish a license fee**
18 **under this section that is more than three percent higher than the license fee charged during**
19 **the preceding year for a commercial weighing or measuring instrument or device of the same**
20 **type and class. Notwithstanding the three percent limit but subject to the maximum limits**
21 **under ORS 618.141, when establishing a license fee under this section the department may**
22 **round the fee amount to the next higher whole dollar amount. The department may not**
23 **change the license fee for the same type and class of commercial weighing or measuring in-**
24 **strument or device more than once each year.**

25 [(3)] (4) All moneys received by the department pursuant to ORS 618.010 to 618.246 shall be paid
26 into the Department of Agriculture Service Fund. Such moneys are continuously appropriated to the
27 department for the purpose of administering those provisions of ORS 618.010 to 618.246 relating to
28 testing, inspection, licensing and regulation of commercial weighing and measuring instruments or
29 devices.

30 **SECTION 2.** ORS 618.136, as amended by section 1 of this 2019 Act, is amended to read:

31 618.136. (1) The license fee for each type or class of commercial weighing or measuring instru-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 ment or device shall be established by the State Department of Agriculture in an amount not to
 2 exceed the maximum limits under ORS 618.141. Such fees shall be established in the amounts nec-
 3 essary for the department to carry out and enforce the provisions of ORS 618.010 to 618.246 relating
 4 to the supervision of commercial weighing and measuring instruments or devices, and to maintain
 5 an emergency fund with an unencumbered balance in an amount not to exceed the cost of adminis-
 6 tering ORS 618.010 to 618.246 during a representative four-month period in order to ensure the or-
 7 derly supervision of commercial weighing and measuring instruments or devices within this state.

8 (2) License fees become past due July 1 each year for renewals, and on the date of first com-
 9 mercial use for original installations.

10 *[(3) Except as provided in this subsection, the department may not establish a license fee under this*
 11 *section that is more than three percent higher than the license fee charged during the preceding year*
 12 *for a commercial weighing or measuring instrument or device of the same type and class.*
 13 *Notwithstanding the three percent limit but subject to the maximum limits under ORS 618.141, when*
 14 *establishing a license fee under this section the department may round the fee amount to the next higher*
 15 *whole dollar amount. The department may not change the license fee for the same type and class of*
 16 *commercial weighing or measuring instrument or device more than once each year.]*

17 ~~[(4)]~~ (3) All moneys received by the department pursuant to ORS 618.010 to 618.246 shall be paid
 18 into the Department of Agriculture Service Fund. Such moneys are continuously appropriated to the
 19 department for the purpose of administering those provisions of ORS 618.010 to 618.246 relating to
 20 testing, inspection, licensing and regulation of commercial weighing and measuring instruments or
 21 devices.

22 **SECTION 3.** ORS 618.141 is amended to read:

23 618.141. The license fees established pursuant to ORS 618.136 for **commercial** weighing or
 24 measuring instruments or devices ~~[shall]~~ **may** not exceed the following:



Discrete Weighing Devices (Manufacturer's rated capacity)	Maximum Fee
Not over 400 pounds	[\$ 43] \$ 49
Over 400 pounds, but not over 1,160 pounds	[\$ 88] \$ 101
Over 1,160 pounds, but not over 7,500 pounds	[\$ 178] \$ 205
Over 7,500 pounds, but not over 60,000 pounds	[\$ 267] \$ 307
Over 60,000 pounds	[\$ 267] \$ 307
Static railroad track scales	[\$ 1,160] \$ 1,334
Continuous Weighing Systems (Manufacturer's rated capacity)	
Under 10 tons per hour	[\$ 336] \$ 386
10-150 tons per hour	[\$ 522] \$ 600
Over 150 tons per hour, but	

1	not over 1,000 tons per hour	[\$ 1,044]	\$ 1,201
2	Over 1,000 tons per hour	[\$ 2,320]	\$ 2,668
3	In-motion railroad track scales	[\$ 1,160]	\$ 1,334
4			
5	Liquid-Fuel Metering Devices for		
6	Noncorrosive Fuels Contained at		
7	Atmospheric Pressure		
8	(Maximum device flowrate)		
9			
10	Under 20 gallons per minute	[\$ 35]	\$ 40
11	20-150 gallons per minute	[\$ 178]	\$ 205
12	Over 150 gallons per minute	[\$ 267]	\$ 307
13			
14	Special Liquid-Fuel Measuring		
15	Equipment		
16	(Type)		
17			
18	Liquefied petroleum gas meters		
19	One inch pipe diameter or under	[\$ 267]	\$ 307
20	Over one inch pipe diameter	[\$ 267]	\$ 307
21	Tanks, under 500 gallons capacity		
22	when used as measure containers		
23	with or without gage rods or		
24	markers	[\$ 100]	\$ 115
25	Tanks, 500 or more gallons capacity		
26	when used as measure containers		
27	with or without gage rods or		
28	markers	[\$ 200]	\$ 230

31 **SECTION 4. The amendments to ORS 618.136 by section 2 of this 2019 Act become oper-**
 32 **ative on July 1, 2026.**
