

RCW 19.94.517 Incorrect commercial instrument or device to benefit of owner/operator—Penalties—Appeal. (1) Whenever the department or a city sealer tests or inspects a weighing or measuring instrument or device and finds the instrument or device to be incorrect to the economic benefit of the owner/operator of the weighing or measuring instrument or device and to the economic detriment of the customer, the owner of the weighing or measuring instrument or device is subject to the following civil penalties:

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| Device deviations outside the tolerances stated in Handbook 44. | |
| | Penalty |
| Small weighing or measuring instruments or devices: | |
| First violation | \$ 200.00 |
| Second or subsequent violation within one year of first violation | \$ 500.00 |
| Medium weighing or measuring instruments or devices: | |
| First violation | \$ 400.00 |
| Second or subsequent violation within one year of first violation | \$ 1,000.00 |
| Large weighing or measuring instruments or devices: | |
| First violation | \$ 500.00 |
| Second or subsequent violation within one year of first violation | \$ 2,000.00 |
| Electric vehicle fuel measuring instruments or devices: | |
| First violation | \$ 200.00 |
| Second or subsequent violation within one year of first violation | \$ 500.00 |

(2) For the purposes of this section:

(a) The following are small weighing or measuring instruments or devices: Scales of zero to four hundred pounds capacity, liquid fuel metering devices with flows of not more than twenty gallons per minute, liquid petroleum gas meters with one inch in diameter or smaller dispensers, fabric meters, cordage meters, and taxi meters.

(b) The following are medium weighing or measuring instruments or devices: Scales of four hundred one to five thousand pounds capacity, liquid fuel metering devices with flows of more than twenty but not more than one hundred fifty gallons per minute, and mass flow meters.

(c) The following are large weighing or measuring instruments or devices: Liquid petroleum gas meters with greater than one inch diameter dispensers, liquid fuel metering devices with flows over one hundred fifty gallons per minute, and scales of more than five thousand pounds capacity and scales of more than five thousand pounds capacity with supplemental devices.

(3) The weighing or measuring instrument or device owner may appeal the civil penalty. [2021 c 238 § 10; 2019 c 96 § 19; 1995 c 355 § 23.]

Effective date—2019 c 96: See note following RCW 19.94.160.

Application—Effective dates—1995 c 355: See notes following RCW 19.94.015.