

7601.1000 NIST HANDBOOK 44 INCORPORATED BY REFERENCE.

Subpart 1. **NIST Handbook 44 (2005).** Weighing and measuring equipment manufactured, offered, or exposed for sale or sold or given away for use in trade or commerce in Minnesota must conform to the requirements and specifications of NIST Handbook 44. NIST Handbook 44 (2005), "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," as adopted by the 89th National Conference on Weights and Measures and published by the United States Department of Commerce, National Institute of Standards and Technology, (Washington, D.C., December 2004), is incorporated by reference subject to the following exceptions:

A. If NIST Handbook 44 (2005) contains any provisions contrary to the laws of Minnesota, or contrary to any rule, except part 7601.1000, of the Minnesota Department of Commerce, Minnesota law and department rules govern and supersede contrary provisions of NIST Handbook 44.

B. The sentence of NIST Handbook 44 (2005), section 2 (scale code), specification S.1.8.3., stating that "Unit price displays visible to the customer shall be in terms of single whole units of weight and not in common or decimal fractions of the unit" is deleted.

C. The director shall not enforce specifications and user requirements in NIST Handbook 44 (2005) that would require owners of motor fuel dispensers to install equipment capable of allowing the customer to select the unit price. These requirements are contained in section 3.30 (liquid measuring devices), specification S.1.6.4.1., specification S.1.6.5., specification S.1.6.5.4., and user requirement UR.3.3.

D. The user requirement UR.2.2, in section 3.31 of NIST Handbook 44 (2005) does not apply so as to require a ticket printer on vehicle tank meters.

E. The last paragraph of NIST Handbook 44 (2005), section 3.30, specification S.3.1, and section 3.37, specification S.4.1, is replaced with:

"An outlet that may be opened for purging or draining the measuring system or for recirculating product if recirculation is required in order to maintain the product in a deliverable state is permitted. Effective means must be provided to prevent passage of the liquid through any such outlet during normal operation of the measuring system and to inhibit meter indications, or advancement of indications, and recorded representations while the outlet is in operation."

Subp. 2. **Handbook availability, location.** NIST Handbook 44, as adopted by reference in subpart 1, is available to the public at the Minnesota State Law Library, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota, 55155, and is not subject to frequent change.

Statutory Authority: *MS s 239.06*

History: *20 SR 1928; L 2001 1Sp4 art 6 s 1; 30 SR 346*

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