IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE

Ag Inspections Division

02.02.14 – Rules for Weights and Measures

Who does this rule apply to?
All owners of all commercial weighing, measuring, dispensing devices used for commerce in the state of Idaho.

What is the purpose of this rule?
Inspection and testing of all weights and measures commercially used, to ascertain if they are correct, and to determine the accuracy of the weight, measurement, or count of commodities or things sold, or offered or exposed for sale, on the basis of weight, measure or of count. This rule is intended to ensure consumers are receiving the accurate amount, weight, and/or size of commodity or item they are purchasing.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Weights and Measures:
- 71-111 Idaho Code - Regulations for Enforcement
- 71-121 Idaho Code - Rules - Fees - Weights & Measures Inspection Fund
- 71-232 Idaho Code - Sale of Commodities by Weight or Measure
- 71-233 Idaho Code - Packaged Commodities, Label Required, Contents
- 71-236 Idaho Code - Sizes of Loaves of Bread Permitted
- 71-241 Idaho Code - Petroleum Products, How Sold, Measurement
- 71-408 Idaho Code - Enforcement of Act, Rules & Regulations

Who do I contact for more information on this rule?

Idaho State Department of Agriculture
2270 Old Penitentiary Rd.
Boise, ID 83712
P.O. Box 7249
Boise, ID 83707
Phone: (208) 332-8500
Fax: (208) 334-2170
Email: rulesinfo@isda.idaho.gov
Webpage: https://agri.idaho.gov/main/

This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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000. LEGAL AUTHORITY.
Sections 71-111, 71-121, 71-232, 71-233, 71-236, 71-241, and 71-408, Idaho Code. (7-1-26)

001. SCOPE.
This chapter has the following scope: to govern the checking, testing, and examination of weighing and measuring devices, packages and labels; to govern consumer and non-consumer packaging and labeling; to govern the registration of servicemen and service agencies for commercial weighing and measuring devices; to govern the licensing of weighmasters, and to govern the licensing of commercially used weighing and measuring devices and to set maximum annual license fees for weighing and measuring devices. (7-1-26)

002. – 003. (RESERVED)

004. INCORPORATION BY REFERENCE.

01. Required Reference Materials. The 2025 edition of Handbook No. 130 of the National Institute of Standards and Technology, United States Department of Commerce, "Uniform Laws and Regulations in the Areas of Legal Metrology and Fuel Quality Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," (Published December, 2024) hereby incorporated by reference, is the specifications, tolerances and other technical requirements for commercial weighing and measuring devices, unless otherwise stated in these rules. (7-1-26)

02. Required Reference Materials for Checking Prepackaged Commodities. The 2025 edition of Handbook No. 133 of the National Institute of Standards and Technology, United States Department of Commerce, "Checking the Net Contents of Packaged Goods," (Published January 10, 2025) hereby incorporated by reference, is the authority in checking packaged commodities, unless otherwise stated in these rules. (7-1-26)

005. DIESEL, BIODIESEL, AND GASOLINE STANDARDS.
Per Section 37-2506, Idaho Code, the latest specifications adopted by the American Society for Testing and Materials is the required standard for all diesel, biodiesel, and gasoline fuels. The standards can be accessed at https://www.astm.org/products-services/standards-and-publications/standards/petroleum-standards.html. (7-1-25)

006. -- 011. (RESERVED)

012. LICENSE REQUIRED FOR COMMERCIALLY-USED WEIGHING OR MEASURING INSTRUMENT OR DEVICE.
Weighing or measuring instruments or devices used for commercial purposes in the State of Idaho must be licensed annually. (3-15-22)

01. Annual License. No person may operate or use for commercial purposes within the state any weighing or measuring instrument or device specified in Section 71-113, Idaho Code, that is not licensed in accordance with this rule. (7-1-26)

02. Specific Device. Any license issued applies only to the instrument or device identified by Device Code, as listed in TABLE 1-A, and rated capacity on the application for license. The license is applicable to an equivalent replacement for the original instrument or device, within the annual license period. (3-15-22)

013. LICENSE APPLICATION.
License application must be submitted on forms provided by Idaho State Department of Agriculture (ISDA) and accompanied with the proper fee as established in this rule. The capacity of an instrument or device will be determined by the manufacturer's rated capacity. (7-1-26)

014. ANNUAL LICENSE PERIOD.
Annual license applications and fees are due February 1 of each year and all licenses expire on January 31 of the following year. (3-15-22)

015. LICENSE RENEWALS.
Any device or instrument will be considered rejected if the license for that device or instrument is not renewed thirty (30) days after expiration. A person failing to pay the annual license fee after forty-five (45) days following the expiration date, forfeits the right to use the instrument or device for commercial purposes, and the instrument or device may be taken out of service by the ISDA Bureau of Weights and Measures (Bureau) until the license fee is paid. (7-1-26)

016. MAXIMUM AND MINIMUM LICENSE FEE SCHEDULE FOR COMMERCIALLY-USED WEIGHING AND MEASURING INSTRUMENTS AND DEVICES.
The annual license fee for instruments and devices is based on manufacturer's rated capacity. The minimum annual license fee for commercially used instrument and device types is twelve dollars ($12) when licensing a single device.

TABLE 1-A

DEVICE CODE	KEY	FEE (Not to Exceed)
A	Scales ≤ 50 lb	$6.00
B	Scales > 50 ≤ 1,159 lb	$12.00
C	Scales ≥ 1,160 ≤ 7,499 lb	$24.00
D	Scales ≥ 7,500 ≤ 59,999 lb	$100.00
E & F	Scales 60,000 lbs or more	$100.00
G	Motor-fuel device < 20 gpm	$6.00
H	Meter ≥ 30 < 150 gpm	$33.00
I	Meter ≥ 150 gpm	$40.00
J	LPG dispenser	$40.00
K & L	LPG temperature compensated	$60.00
M	Cordage or Fabric meters	$5.00
N	Natural gas motor fuel devices	$60.00
O	Bulk oil meter	$35.00
P	Meter > 20 ≤ 30 gpm or fuel additive metering devices	$10.00

(3-15-22)

017. VOLUNTARY INSPECTION OF WEIGHING AND MEASURING INSTRUMENTS AND DEVICES, FEES.
In addition to commercially used weighing and measuring instruments and devices, the Bureau, at the request of an owner or user thereof, may inspect and test non-commercial weighing or measuring instruments or devices to ascertain if they are correct. Any entity making such special request must pay the Bureau the cost of the inspection as listed in Section 100. (7-1-26)

018. LICENSE DISPLAYED.
Any owner or user of commercially used weighing and measuring instruments and devices must display the current annual license for those instruments and devices in a prominent place at the same physical location where those devices are installed or used. In the case of devices installed on vehicles, the license must be carried in the vehicle on which the device is installed. (3-15-22)

019. -- 099. (RESERVED)

100. CHARGES FOR SPECIAL REQUEST TESTING OR EXAMINATION.

01. Mileage Charges. (3-15-22)

a. Current state mileage rate for car travel. (7-1-26)

b. Seventy-five cents ($.75) a mile for pickup and prover. (3-15-22)

c. Two dollars and fifty cents ($2.50) a mile for heavy capacity scale trucks. (3-15-22)

02. Fee Collection. Such fees will be collected from place where working and back. Where more than one (1) request is to be handled on same trip, the mileage will be prorated between the parties requesting the service. (3-15-22)

03. Personnel Charges. There will also be an hourly personnel charge of thirty dollars ($30) per hour per person for special request testing, chargeable during the time of the actual testing and examination of devices and for driving time. (3-15-22)

101. -- 999. (RESERVED)