

**CHAPTER 385**

AN ACT

HB 2057

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

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

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

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

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

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

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

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

618.136. (1) The license fee for each type or class of commercial weighing or measuring instrument or device shall be established by the State Department of Agriculture in an amount not to exceed the maximum limits under ORS 618.141. Such fees shall be established in the amounts necessary for the department to carry out and enforce the provisions of ORS

618.010 to 618.246 relating to the supervision of commercial weighing and measuring instruments or devices, and to maintain an emergency fund with an unencumbered balance in an amount not to exceed the cost of administering ORS 618.010 to 618.246 during a representative four-month period in order to ensure the orderly supervision of commercial weighing and measuring instruments or devices within this state.

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

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

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

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

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

Discrete Weighing Devices (Manufacturer's rated capacity)	Maximum Fee
Not over 400 pounds	[\$ 43] \$ <b>49</b>
Over 400 pounds, but not over 1,160 pounds	[\$ 88] \$ <b>101</b>
Over 1,160 pounds, but not over 7,500 pounds	[\$ 178] \$ <b>205</b>
Over 7,500 pounds, but not over 60,000 pounds	[\$ 267] \$ <b>307</b>
Over 60,000 pounds	[\$ 267] \$ <b>307</b>
Static railroad track scales	[\$ 1,160] \$ <b>1,334</b>
Continuous Weighing Systems (Manufacturer's rated capacity)	
Under 10 tons per hour	[\$ 336] \$ <b>386</b>
10-150 tons per hour	[\$ 522] \$ <b>600</b>
Over 150 tons per hour, but not over 1,000 tons per hour	[\$ 1,044] \$ <b>1,201</b>
Over 1,000 tons per hour	[\$ 2,320] \$ <b>2,668</b>
In-motion railroad track scales	[\$ 1,160] \$ <b>1,334</b>

Liquid-Fuel Metering Devices for Noncorrosive Fuels Contained at Atmospheric Pressure (Maximum device flowrate)		
Under 20 gallons per minute	[\$ 35]	\$ 40
20-150 gallons per minute	[\$ 178]	\$ 205
Over 150 gallons per minute	[\$ 267]	\$ 307

Special Liquid-Fuel Measuring  
Equipment  
(Type)

Liquefied petroleum gas meters		
One inch pipe diameter or under	[\$ 267]	\$ 307
Over one inch pipe diameter	[\$ 267]	\$ 307
Tanks, under 500 gallons capacity when used as		

measure containers with or without gage rods or markers	[\$ 100]	\$ 115
Tanks, 500 or more gallons capacity when used as measure containers with or without gage rods or markers	[\$ 200]	\$ 230

**SECTION 4. The amendments to ORS 618.136  
by section 2 of this 2019 Act become operative  
on July 1, 2026.**

Approved by the Governor June 17, 2019  
Filed in the office of Secretary of State June 18, 2019  
Effective date January 1, 2020