

**363.590 Regulations of director -- Specifications for commercial devices.**

- (1) The director shall issue from time to time reasonable regulations for the enforcement of KRS 363.510 to 363.850, which regulations shall have the force and effect of law. These regulations may include:
  - (a) Standards of net weight, measure, or count, and reasonable standards of fill for any commodity in package form;
  - (b) Rules governing the technical and reporting procedures to be followed and the report and record forms and marks of approval and rejection to be used by inspectors of weights and measures in the discharge of their official duties;
  - (c) Exemptions from the sealing or marking requirements of KRS 363.650 with respect to weights and measures of the character or size that the sealing or marking would be inappropriate, impracticable, or damaging to the apparatus in question;
  - (d) Rules governing the registration of servicemen and service agencies; and
  - (e) Rules governing the examination procedure for price verification.
- (2) These regulations shall include specifications, tolerances, and other technical requirements for weights and measures of the character of those specified in KRS 363.610, designed to eliminate from use without prejudice to apparatus that conforms as closely as practicable to the official standards, those:
  - (a) That are not accurate;
  - (b) That are of such construction that they are faulty (that is, that are not reasonably permanent in their adjustment or will not repeat their indications correctly); or
  - (c) That facilitate the perpetration of fraud.
- (3) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, together with amendments to those requirements, as recommended by the National Institute of Standards and Technology and published in the most recent editions of the National Institute of Standards and Technology handbooks and supplements to the handbooks, or in any publication revising or superseding the handbooks or supplements to the handbooks, shall be the specifications, tolerances, and other technical requirements for commercial weighing and measuring devices of the State of Kentucky, unless modified, amended, or rejected by a regulation issued by the director. For the purposes of KRS 363.510 to 363.850, apparatus shall be deemed to be "correct" when it conforms to all applicable requirements promulgated as specified in this section. Other apparatus shall be deemed to be "incorrect."

**Effective:** July 14, 2018

**History:** Amended 2018 Ky. Acts ch. 25, sec. 1, effective July 14, 2018. -- Amended 2008 Ky. Acts ch. 34, sec. 3, effective July 15, 2008. -- Created 1970 Ky. Acts ch. 264, sec. 9.