

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Weights and Measures Act is amended by  
5 changing Section 8.1 as follows:

6 (225 ILCS 470/8.1)

7 Sec. 8.1. Registration of servicepersons, service agencies  
8 ~~agents~~, and special sealers.

9 (a) No person, firm, or corporation shall ~~sell~~, install,  
10 service, recondition or repair a weighing or measuring device  
11 used in trade or commerce without first obtaining a  
12 certificate of registration. A certificate of registration  
13 shall be renewed annually. Applications by individuals for a  
14 certificate of registration shall be made to the Department,  
15 in a manner ~~shall be in writing on forms~~ prescribed by the  
16 Department, and shall be accompanied by the required fee.

17 (b) Each application shall provide such information that  
18 will enable the Department to pass on the qualifications of  
19 the applicant for the certificate of registration. The  
20 information requests shall include present residence, location  
21 of the business to be licensed under this Act, whether the  
22 applicant has had any previous registration under this Act or  
23 any federal, state, county, or local law, ordinance, or

1 regulation relating to servicepersons and service agencies  
2 ~~Agencies~~, whether the applicant has ever had a registration  
3 suspended or revoked, whether the applicant has been convicted  
4 of a felony, and such other information as the Department  
5 deems necessary to determine if the applicant is qualified to  
6 receive a certificate of registration.

7 (c) Before any certificate of registration is issued, the  
8 Department shall require the registrant to meet the following  
9 qualifications:

10 (1) Has possession of or available for use weights and  
11 measures, standards, and testing equipment appropriate in  
12 design and adequate in amount to provide the services for  
13 which the person is requesting registration.

14 (2) Passes a qualifying examination or completes a  
15 continuing education course for each type of weighing or  
16 measuring device he intends to install, service,  
17 recondition, or repair as required under this Section.

18 (3) Demonstrates a working knowledge of weighing and  
19 measuring devices for which he intends to be registered.

20 (4) Has a working knowledge of all appropriate weights  
21 and measures laws and their rules and regulations.

22 (5) Has available a current copy of National Institute  
23 of Standards and Technology Handbook 44.

24 (6) Pays the prescribed registration fee for the type  
25 of registration:

26 (A) The annual fee for a Serviceperson Certificate

1 of Registration shall be \$30.

2 (B) The annual fee for a Special Sealer  
3 Certificate of Registration shall be \$100.

4 (C) The annual fee for a Service Agency  
5 Certificate of Registration shall be \$100.

6 (d) If a registrant fails to renew a certificate of  
7 registration for more than one registration year, the  
8 registrant shall pass a qualifying examination for each type  
9 of weighing and measuring device the registrant intends to  
10 install, service, recondition, or repair before the  
11 registrant's certificate of registration is renewed.

12 Beginning with the 2022 registration year, a registrant  
13 must complete a continuing education course for each type of  
14 weighing and measuring device the registrant intends to  
15 install, service, recondition, or repair. A registrant must  
16 complete a continuing education course every 5 years  
17 thereafter, provided the serviceperson, service agency, or  
18 special sealer is registered annually and remains in good  
19 standing. If a serviceperson, service agency, or special  
20 sealer fails to register with the Department, he or she must  
21 retest after a year lapse. For those registrants that have  
22 been continuously registered for 5 or more years on the  
23 effective date of this amendatory Act of the 102nd General  
24 Assembly, the Department shall require one-third of those  
25 registrants to complete a continuing education course required  
26 under this Section in the 2022 registration year, one-third of

1 those registrants to complete a continuing education course in  
2 the 2023 registration year, and one-third of those registrants  
3 to complete a continuing education course in the 2024  
4 registration year.

5 (e) As used in this Section:

6 "Commercial weighing and measuring device" means any  
7 weight or measure or weighing or measuring device commercially  
8 used or employed (i) in establishing size, quantity, extent,  
9 area, or measurement of quantities, things, produce, or  
10 articles for distribution or consumption which are purchased,  
11 offered, or submitted for sale, hire, or award, or (ii) in  
12 computing any basic charge or payment for services rendered,  
13 except as otherwise excluded by Section 2 of this Act, and  
14 shall also include any accessory attached to or used in  
15 connection with a commercial weighing or measuring device when  
16 the accessory is so designed or installed that its operation  
17 affects, or may affect, the accuracy of the device.

18 "Continuing education course" means an online course  
19 prepared and provided by the Department. The continuing  
20 education course shall be available through a link on the  
21 Department's website and shall provide the registrant with  
22 information concerning industry and Department practices. To  
23 complete the continuing education course, the registrant is  
24 required to review the educational materials but is not  
25 required to pass an examination.

26 "Registrant" means any individual, partnership,

1 corporation, agency, firm, or company registered by the  
2 Department who installs, services, repairs, or reconditions,  
3 for hire, award, commission, or any other payment of any kind,  
4 any commercial weighing or measuring device.

5 ~~"Commercial weighing and measuring device" means any~~  
6 ~~weight or measure or weighing or measuring device commercially~~  
7 ~~used or employed (i) in establishing size, quantity, extent,~~  
8 ~~area, or measurement of quantities, things, produce, or~~  
9 ~~articles for distribution or consumption which are purchased,~~  
10 ~~offered, or submitted for sale, hire, or award, or (ii) in~~  
11 ~~computing any basic charge or payment for services rendered,~~  
12 ~~except as otherwise excluded by Section 2 of this Act, and~~  
13 ~~shall also include any accessory attached to or used in~~  
14 ~~connection with a commercial weighing or measuring device when~~  
15 ~~the accessory is so designed or installed that its operation~~  
16 ~~affects, or may affect, the accuracy of the device.~~

17 "Serviceperson" means any individual who ~~sells,~~ installs,  
18 services, repairs, or reconditions, for hire, award,  
19 commission, or any other payment of kind, a commercial  
20 weighing or measuring device. Each serviceperson must be  
21 associated with a primary service agency.

22 "Service agency" means any individual, agency, firm,  
23 company, or corporation that, for hire, award, commission, or  
24 any other payment of any kind, ~~sells,~~ installs, services,  
25 repairs, or reconditions a commercial weighing or measuring  
26 device. Each service agency shall have a registered

1 serviceperson prior to qualifying as a registered service  
2 agency.

3 "Special sealer" means any serviceperson who is allowed to  
4 service only one service agency's liquid petroleum meters or  
5 liquid petroleum measuring devices.

6 (f) Each registered service agency and serviceperson shall  
7 have report forms, known as "Placed in Service Reports". An  
8 original and 2 copies of these forms shall be executed and  
9 shall include the assigned registration number for both the  
10 registered serviceperson and the registered service agency for  
11 each rejected or repaired device restored to service and for  
12 each newly installed device placed in service. The report ~~(in~~  
13 ~~the case where a registered serviceperson is representing a~~  
14 ~~registered service agency both assigned registration numbers~~  
15 ~~shall be included),~~ and shall be signed by a registered  
16 serviceperson or by a registered serviceperson representing a  
17 registered service agency ~~for each rejected or repaired device~~  
18 ~~restored to service and for each newly installed device placed~~  
19 ~~in service.~~ Whenever a registered serviceperson or special  
20 sealer places into service a weighing or measuring device,  
21 there shall be affixed to the device indicator a decal  
22 provided by the Department that indicates the device accuracy.

23 Within 5 days after a device is restored to service or  
24 placed in service, the original of a properly executed "Placed  
25 in Service Report", ~~together with any official rejection tag~~  
26 ~~or seal removed from the device,~~ shall be submitted in a manner

1 prescribed by ~~mailed to~~ the Department. A copy of the report  
2 shall be handed to the owner or operator of the device and a  
3 copy of the report shall be retained by the service agency or  
4 serviceperson.

5 All field standards that are used for servicing and  
6 testing weights and measures devices for which competence is  
7 registered shall be submitted to the Director for initial and  
8 subsequent verification and calibration at least once every 2  
9 years or as otherwise determined by the Director. When  
10 servicing commercial weighing or measuring devices, a  
11 registered serviceperson or registered service agency shall  
12 not use any field standards or testing equipment that have not  
13 been calibrated or verified by the Director. In lieu of  
14 submission of physical standards, the Director may accept  
15 calibration reports, verification reports, or both from any  
16 laboratory that is formally accredited or recognized. The  
17 Director shall maintain a list of organizations from which the  
18 Department will accept calibration reports. The Department  
19 shall retain the right to monitor periodically calibration  
20 results, to verify field standard compliance to specifications  
21 and tolerance when field standards are initially placed into  
22 service or at any intermediate point between calibration, or  
23 both.

24 (g) Persons working as apprentices are not subject to  
25 registration if they work with and under the supervision of a  
26 registered serviceperson.

1       (h) The Director is authorized to promulgate, after public  
2 hearing, rules and regulations necessary to enforce the  
3 provisions of this Section.

4       For good cause and after a hearing upon reasonable notice,  
5 the Director may deny any application for registration or any  
6 application for renewal of registration, or may revoke or  
7 suspend the registration of any registrant.

8       The Director may publish from time to time as he deems  
9 appropriate, and may supply upon request, lists of registered  
10 servicepersons and registered service agencies.

11       All final administrative decisions of the Director under  
12 this Section shall be subject to judicial review under the  
13 Administrative Review Law. The term "administrative decision"  
14 is defined as in Section 3-101 of the Code of Civil Procedure.

15       (Source: P.A. 96-1310, eff. 7-27-10; 96-1333, eff. 7-27-10;  
16 97-333, eff. 8-12-11.)