



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2355

Introduced 2/16/2005, by Rep. Rich Brauer

SYNOPSIS AS INTRODUCED:

225 ILCS 470/10

from Ch. 147, par. 110

Amends the Weights and Measures Act. Provides that, in the case of the testing of gasoline pumps used in the retail or wholesale sale of gasoline, the Director of Agriculture must accomplish the required annual testing by assigning the task to Department of Agriculture-certified private technicians or contractors, who must perform the annual inspection, comply with all required inspection procedures, and make any necessary repairs. Provides that the Director must perform all non-annual random spot-testing.

LRB094 05097 RAS 35133 b

FISCAL NOTE ACT
MAY APPLY

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 10 as follows:

6 (225 ILCS 470/10) (from Ch. 147, par. 110)

7 Sec. 10. Inspection.

8 (a) Unless otherwise provided by law, the Director may
9 inspect and test all weights and measures held, offered, or
10 exposed for sale to ascertain if they are correct.

11 (b) Except as otherwise provided in subsection (c) of this
12 Section 43, the Director shall, within each period of 12 months
13 or more frequently if necessary, inspect and test all law
14 enforcement scales used to determine vehicle weights and all
15 weights and measures commercially used (1) in determining the
16 weight, measurement, or count of commodities or things sold or
17 offered or exposed for sale on the basis of weight, measure, or
18 count or (2) in computing the basic charge or payment for
19 services rendered on the basis of weight, measure, or count to
20 ascertain if they are correct. However, with respect to
21 single-service devices (meaning those designed to be used
22 commercially only once and then discarded) and devices
23 uniformly mass-produced, as by means of a mold or die, and not
24 susceptible to individual adjustment, such tests may be made on
25 representative samples of these devices. The lots of which such
26 samples are representative shall be held to be correct or
27 incorrect upon the basis of the results of the inspections and
28 tests on the samples.

29 (c) In the case of the testing of gasoline pumps used in
30 the retail or wholesale sale of gasoline, the Director must
31 accomplish the required annual testing by assigning the
32 statewide task to Department-certified private technicians or

1 contractors, who must perform the annual inspection, comply
2 with all required inspection procedures, and make any repairs
3 that are necessary to the pumps at the time of inspection or as
4 soon thereafter as possible. The Director must perform all
5 non-annual random spot-testing.

6 (Source: P.A. 88-600, eff. 9-1-94.)