

Weighmaster Statutes

ARS 3-3401. Definitions

33. "Public weighmaster" means any person who is engaged in any of the following:

- (a) The business of weighing any object or thing for the public generally for hire or for internal use and issuing for that weighing a weight certificate intended to be accepted as an accurate weight on which a purchase or sale is to be based or on which a service fee is to be charged.
- (b) The business of weighing for-hire motor vehicles, trailers or semitrailers and issuing weight certificates intended to be accepted as an accurate weight for the purpose of determining the amount of any tax, fee or other assessment on the vehicles.

3-3453. License as public weighmaster or deputy weighmaster required; application; fee; renewal; training; exemptions

A. A person shall not serve as a public weighmaster or deputy weighmaster unless the person is issued a public weighmaster or deputy weighmaster license by the division in accordance with practices and procedures to be established by the associate director. An applicant for a public weighmaster or deputy weighmaster license shall:

1. Demonstrate a thorough knowledge of all appropriate weights and measures laws, rules and policies.
2. Have possession of, or have available for use, a scale that is of sufficient capacity and size and that is licensed and certified pursuant to section 3-3451.
3. Demonstrate the necessary experience and training to operate the scale.
4. Pass the required examination administered by the division. The associate director may waive the examination required by this paragraph.

B. An application for a public weighmaster or deputy weighmaster license shall be submitted to the division on a form prescribed and furnished by the division and shall be accompanied by the license fee prescribed in section 3-3452. The division shall issue a public weighmaster or deputy weighmaster license for a period of twelve calendar months. The license expires on the first day of the month and year indicated on the license. A public weighmaster or deputy weighmaster license shall be posted at the licensed scale site in a manner that provides the division access to the license during normal business hours.

C. If a licensee submits a license renewal application to the division before the date of expiration of the current license together with the renewal fee prescribed by the division, the existing license shall be valid for thirty days following its expiration date, or until issuance of the renewal license, whichever occurs first.

D. A public weighmaster shall provide the necessary training for any deputy weighmaster using the public weighmaster's seal to certify weigh tickets.

E. Except as otherwise provided in subsection F G of this section, the certified weighing of any property, livestock or commodity shall be performed only by a public weighmaster or deputy weighmaster. The following persons are not required to obtain licenses as public weighmasters or deputy weighmasters:

1. A person weighing property, livestock or a commodity that the person or the person's employer is either buying or selling for the own account of the person or the person's employer.
2. A person weighing property, livestock or a commodity in conjunction with or on behalf of a publicly sponsored or nonprofit organization sponsored exposition, fair or show event.

F. The official weighing of vehicles or conveyances by any employee of a city, county or state agency for weight-control regulatory purposes on public highways, roads or streets does not constitute public weighing.

G. On request and without charge, the division may issue a limited weighmaster license to any qualified officer or employee of a city, a county or the state authorizing the officer or employee to act as a public weighmaster only within the scope of the officer's or employee's official employment and duties in enforcing local ordinances substantially complying with the requirements of this chapter. While performing the duties of a limited weighmaster, a limited weighmaster shall have the limited weighmaster's license in the limited weighmaster's possession.

H. The division shall approve all forms, certificates, seals and other documents together with practices, procedures and equipment used by public weighmasters or deputy weighmasters in the performance of their duties. A public weighmaster or deputy weighmaster shall keep for such a period as the division by rule may require a legible copy of each weight certificate the public weighmaster or deputy weighmaster issues. Copies of weight certificates shall be available at all reasonable times for inspection by the division.

3-3475 contains provisions for the civil penalties.