

VICTOR CARSTARPHEN
MAYOR



Bureau of Weights & Measures
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NOTIFICATION BY EMAIL OR MAIL MUST INCLUDE THE FOLLOWING:

Name of Company: _____

Address: _____

Phone: _____ E-MAIL: _____

Repairer/Installers name: _____

Date of service: _____ Work done: _____

New device: _____ Repaired device: _____

Scale/ device(s) Description:

Make _____ Model: _____ Capacity: _____ Serial# _____

Make _____ Model: _____ Capacity: _____ Serial# _____

Make _____ Model: _____ Capacity: _____ Serial# _____

Make _____ Model: _____ Capacity: _____ Serial# _____

Make _____ Model: _____ Capacity: _____ Serial# _____

***For additional devices please add on separate page.

Device(s) Installed/ Repaired at:

Repairman License #: _____

Contact Person _____ **Phone Number** _____



New Jersey Office of the Attorney General

Division of Consumer Affairs

Office of Weights and Measures

1261 Routes 1 & 9 South, Avenel, New Jersey 07001

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Weighing or Measuring Devices

An act to license and regulate persons in the business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices, and providing penalties for the violation thereof.

51:1-113. Definitions:

Definitions: For the purpose of this act, the following works shall be deemed to have the meaning herein given them:

- A. "Department" shall mean the Office of Weights and Measures in the Department of Law and Public Safety.
- B. "Person" or "persons" shall be construed to include an individual, partnership, association, corporation or other form of business enterprise.
- C. "Weight and measures officer" shall be construed to mean and include the Superintendent of the Division of Weights and Measures or his assistant or inspectors, county or assistant county superintendents of weights and measures or inspectors, and municipal or assistant municipal superintendents of weights and measures or inspectors.
- D. "Weighing and measuring devices" as used in this act shall be deemed to mean and include any scale, weight, scale beam, patent balance, computing scale, spring scale, person weighing scale operated for profit, steelyard, liquid measure, gasoline dispensing device, grease dispensing device, counter measure or any other instrument or apparatus, and accessories connected therewith used in trade or commerce in the State of New Jersey on weighing or measuring any commodity, fluid, or article of merchandise, or person, provided, the term shall not include any meter, measure or scale used by a public utility subject to the jurisdiction of the Board of Public Utility Commissioners of this State for measuring and commodity or service furnished or sold by such public utility.
- E. "Repair," "repairing," and "repaired," shall be construed to mean any partial or complete construction or reconstruction, repair, alteration, installation or adjustment of any weighing or measuring devices used in trade or commerce in the State of New Jersey.
- F. "Repairman" shall mean any person engaging in the partial or complete constructing or reconstruction, repairing, altering, installing or adjusting of any weighing or measuring devices used in trade and commerce in the State of New Jersey.
- G. "Adjustment" and "adjusting" The moving of any part of a weighing or measuring device to obtain a correct zero indication only shall not be construed to come within the meaning of these terms.
- H. "Engaging in business" or "engaged in business" shall be deemed and understood to mean and include any single transaction, act or sale.

51:1-114 License and registration or engaged in business:

It shall be unlawful for any persons to engage in the business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices in this State without first obtaining from the State Superintendent of Weights and Measures a license and registration to so engage in any said business.

51:1-115 Application for license and registration; verification under oath:

Application for the said license and registration shall be made to the department upon the form prescribed and furnished by the State Superintendent of Weights & Measures, and shall be verified by the applicant under oath, or

if the applicant shall be a partnership, association, or corporation, under the verification and oath of duly elected officer representative thereof.

51:1-116 Examination and inquiry, issuance of license and registration:

Upon the application being filed, the State Superintendent of Weights and Measures shall examine into the same and cause as inquiry to be made concerning the persons making such application, and if it should appear satisfactory to him therefrom, he shall issue to the applicant a license and registration; it being provided, however, that any person engaging in the practical operations of repairing my device subject to the provisions of the act, shall upon the approval of his application by the State Superintendent of Weights and Measures, be notified to report at a place and time to be designated by the said State Superintendent of Weights & Measures, and to their undergo an examination into his technical qualifications to engage in such business.

51:1-117 Conduct of examination:

Examinations shall be conduct by the State Superintendent of Weights and Measures, his duly authorized assistants, or by any competent weight and measures officer or officers of this State, whom the said State Superintendent of Weights and measures may designate or assign to conduct such examinations.

51:1-118 Rules and regulations:

The State Superintendent of Weights and Measures shall issue rules and regulations governing the examination of applicants for licenses to repair weighing and measuring devices. The regulations shall specify the qualifications for limited and unlimited licenses, and shall declare the conditions under which licenses will be revokes.

51:1-119 License to repair limited classes or kinds of devices:

The State Superintendent of Weights and Measures may, at his discretion, issue to any applicant, under the terms of the regulations authorized by this act, a license to repair limited classes or kinds of weighing and measuring devices.

51:1-120 Issuance of licenses to repair devices:

Any person who qualifies in the form and manner prescribed by the regulation authorized under the terms of this act to repair weighing or measuring devices shall receive a license to repair the classes of kinds of weighing devices for which he qualifies. Applicants who do not qualify shall not receive a license, it being provided, however, that the denial of a license at any time shall not prejudice to issue of license at any later examination.

51:1-121 Licenses and registration, terms, renewal, contents:

Licenses and registrations shall be issues for a term of one year from the date issue and shall be renewal at the expiration thereof. Each license issued shall state the name, business address of the person to whom it is issued, whether it is a limited or unlimited license, and if limited, the classes or kind of weighing or measuring devices the licenses is authorized to repair, and shall continue in effect of the prescribed period unless revoked or suspended for reasons hereinafter specified in this act.

51:1-122 Revocation or suspension of license, grounds, hearing, notice:

The State Superintendent of Weights and Measures may, revoke or suspend the license of any person convicted of any violation of this act or for any of the following reasons: willful fraud of misrepresentation practiced in procuring an such license or renewal of the same; dishonesty; gross incompetency, and conduct of a character likely to deceive or defraud the public; the loaning of his license or registration by the licensee to any person, the obtaining of a fee or compensation by fraud or misrepresentation; the willful advertising or publishing by the licensee of grossly false, fraudulent or misleading statements of his business, skill, knowledge, or methods of operation; and for any conduct or practice at variance with the purpose of this act. No certificate of license shall be revoked or suspended until after a hearing before the State Superintendent of Weights and Measures of which hearing the holder of said certificate of license shall have at least ten days notice either personally or by registered mail, sent to the holder at his or her address as contained in the records of the department.

51:1-123 Report of repair work done by licensee:

Any person licensed to repair weighing or measuring devices shall report to the department or the weights and measures officer of his county or municipality, work for which compensation was received or is receivable. The report shall contain the name and address of the person for whom the work was done, identification of the weighing or measuring device, nature of the work performed, and the date the work was completed.

51:1-124 Notice and statement to state department or county or municipal Superintendent of Weights and Measures:

Every person engaged in this act provided shall within ten (10) days, after the making or a repair, or the sale and delivery of the repaired, rebuilt, exchanged, or used weighing or measuring device, in writing, notify the department or the count or municipal Superintendent of Weights and Measures in whose jurisdiction the said device is located, giving the name and address of the person for whom such repair had been made or to whom a repaired, rebuilt, exchanged, or used weighing and measuring device has been sold or delivered, and a statement shall be made by the licensee that the same has been so altered, rebuilt or repaired as to conform to the standard specifications and regulations of the department.

51:1-125 Condemned weighing or measuring devices:

Any person who accepts any weighing or measuring device which has been condemned by any weights and measures officer, in trade for a new or used weighing or measuring device, and which is intended to be repaired, rebuilt, dismantled or destroyed, shall upon receipt thereof remove the condemned tags and such condemned tags shall be returned to the department or to a weights and measures officer within ten (10) days thereafter, with a statement describing the weighing and measuring device, giving the number of device if obtainable, and the name and address of the person from whom it was received together with a statement of that disposition has been made of the weighing or measuring device.

51:1-126 Comparison and calibration of testing equipment:

Every person engaged in any business covered by the provisions of this act shall submit their testing equipment at least once a year to a weights and measures officer for comparison and calibration with such standards, the weights and measure officer shall issue to such person a statement or a certificate of his findings.

51:1-127 Record or register:

Every person licensed and registered pursuant to the provisions of this act shall maintain a record or register in which the following information shall be kept:

- I. The name and address of every person for whom weighing and measuring devices are repaired.
- J. The name and address of every person to whom a repaired, rebuilt, exchanged, or used weighing and measuring apparatus or device has been sold or delivered.
- K. Such records shall at all times be open for inspection by any weights and measures officer.

51:1-128 License and registration fees:

Every person who maintains and carries on the business of selling, trading in, receiving, or engaging in the repairing of condemned, rebuilt, or used weighing and measuring devices, shall for the license and registration prescribed by this act, pay a license fee of one hundred and fifty dollars (\$150.00) per annum. Every person engaging only in the repairing of weighing and measuring devices shall for the license and registration prescribed in this act pay a fee of twenty dollars (\$20.00) per annum, which fees shall be paid to the State Superintendent of Weights and Measures and by this officer shall be turned over to the State Treasurer.

51:1-129 Administration of Act; rules and regulations:

The State Superintendent of Weights and Measures shall have general supervision of the administration of this act and shall make such rules and regulations as he may deem necessary for its enforcement.

51:1-130 Enforcement of Act:

The State Superintendent of Weights and Measures, his duly authorized assistants or inspectors, county and assistant county superintendents of weights and measures and inspectors and municipal and municipal assistant superintendents of weights and measures and inspectors are hereby charged with the enforcement of this act.

51:1-131 Penalties for violations of Act:

Any person violating any of the provisions of this act shall, upon being found guilty of a first offense, pay a fine of not less than fifty dollars (\$50.00), nor more than one hundred dollars (\$100.00), and shall upon being found guilty of a second offence pay a fine of not less than one hundred dollars (\$100.00), nor more than two hundred and fifty dollars (\$250.00), and shall upon being found guilty for any subsequent offense pay a fine of not less than two hundred and fifty dollars (\$250.00), nor more than five hundred dollars (\$500.00); provided, however, that any person unable to pay a fine imposed under the provisions of this act shall be committed to jail for a period of not less than ten (10) days, nor more than ninety (90) days.

51:1-132 Proceeding to recover penalty; jurisdiction and venue; detention under body execution; prosecution; disposition of fines and penalties; arrest:

A proceeding to recover any penalty incurred under the provisions of this act, or acts supplementary or amendatory thereof, may be brought in the name of the State of New Jersey by any duly appointed weights and measures officers in any county district court of municipal court of any municipality of this State, wherein the violation occurs, which courts shall have jurisdiction over the proceeding. The proceeding shall be summary and in accordance with the penalty.

Enforcement (N.J.S.A. 4A:58-1 et seq.) Process shall be either in the nature of a summons or warrant and it may be directed to any weights and measures officer or to a constable or police officer, commanding him to cause the person or persons so complained of to be summoned or arrested and brought before the court.

No defendant under any body execution shall be detained for a period exceeding ten (10) days, except as may be otherwise provided by this act.

It shall be the duty of the city attorney or any municipality wherein such violations shall take place to assist in the prosecution of the same, unless such municipality has no such municipal superintendent or weights and measures officer as provided for in section 51:1-43 of the Revised Statutes, in which case the county prosecutor of the county wherein such violation shall take place shall assist in such prosecution. All fines and penalties collected from persons offending against the provisions of this act shall be paid by the magistrate or court clerk receiving the same, when recovered by a State weights and measures officer, to the State Treasurer, when recovered by a county weights and measures officer, to the county treasurer of each county, when recovered by a municipal weights and measures officer, to the municipality which such officer represents. For weights and measures officer, such weights and measures officer is authorized, without warrant, to arrest the offender or offenders and to conduct him or them before the county district court or a municipal court in the county wherein such offense is committed.

51:1-133 Exceptions of Application of Act:

The provisions of this act shall not be applicable to any person or to a bona fide employee solely and exclusively employed by such person, who repairs and installs any weighing and measuring device owned, operated or used by the said person in connection with his business in the sale of commodities in trade and commerce in the State of New Jersey.



New Jersey Office of the Attorney General

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County Offices - Weights and Measures Telephone List

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Michael Alpher, Superintendent

220 E. Ridgewood Avenue, Suite 204
Paramus, NJ 07652

BURLINGTON COUNTY - 609-265-5098

Russel Clay, Superintendent

P.O. Box 600
Westampton, NJ 08060

CAMDEN COUNTY -856-374-6001

James Wicker, Superintendent

DiPiero Center
512 Lakeland Road; Suite 158
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4 Moore Road, DN 310/302
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CUMBERLAND COUNTY 856-453-2203

Scott Montgomery, Superintendent

220 N. Laurel Street
Bridgeton, NJ 08302

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Evan Berman, Superintendent

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Elliott Blafer, Superintendent

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