

**COLORADO DEPARTMENT OF AGRICULTURE  
DIVISION OF INSPECTION AND CONSUMER SERVICES**

**MEASUREMENT STANDARDS ACT (35-14 C.R.S.)  
SB 09-113**

**BACKGROUND INFORMATION:**

The Colorado Measurement Standards Act (MSA) is based on a national model law, the Uniform Weights and Measures Law, developed by the National Conference on Weights and Measures.

The MSA was repealed and reenacted in 1983. Changes since then have been limited to those that resulted from previous Department of Regulatory Agencies (DORA) Sunset Reviews. This bill and amendments will modernize the MSA.

This Bill implements the following DORA 2008 Sunset Review recommendations and Senate Agriculture Committee request\*:

- Continue the Measurement Standards Act for nine years, until 2018.
- Eliminate the mandatory requirement the Department to test city and county tuning forks.
- Authorize the Commissioner to promulgate rules to clarify when a scale should receive a work ("blue tag") or condemned ("red tag") order.
- Add and delete definitions to update or clarify the Act.
- Repeal the scale license classifications and allow the Commissioner to establish such classifications by rule.
- Remove the requirement for the use of a "certified scale" in commercial transactions and allow for the use of any licensed scale\*.

In addition, the following amendments were requested by the Department, approved by the Senate, and are included in this Bill:

- Repeal obsolete language and add definitions and language to conform to the current national model law and Colorado Administrative Procedures Act.
- Allow for voluntary testing of measurement devices used by government agencies.
- Provide rulemaking authority for package weight testing procedures, labeling requirements, and suitability of measurement standards and devices.
- Allow authority to grant exemptions that serve the public interest.
- Remove "method of sale" requirements and provide authority to establish in rule.
- Authorize the Department to establish license and certificate expiration dates in rule.
- Authorize late license renewal fees.