

Introduced by Senator WylandFebruary 18, 2011

An act to add Chapter 17 (commencing with Section 13850) to Division 5 of the Business and Professions Code, relating to water submeters.

LEGISLATIVE COUNSEL'S DIGEST

SB 744, as introduced, Wyland. Water submeters: testing.

Existing law requires that a person who uses, or intends to use, any weight or measure, or weighing or measuring instrument for commercial purposes, to cause them to be sealed by a sealer before using the same, unless they have been sealed before sale, in which case existing law allows the purchaser to use them for the remainder of the period authorized by regulations adopted by the Secretary of Food and Agriculture. There is within the Department of Food and Agriculture the Division of Measurement Standards, which is designed to ensure the accuracy of commercial weighing and measuring devices.

This bill would provide that any water submeter tested by a test bench that is regularly calibrated by a cross-check measure shall be deemed to be sealed and approved for commercial use, as specified, provided that the submeter satisfies certain criteria, including that the submeter is otherwise a type approved by the Division of Management Standards.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 17 (commencing with Section 13850)
2 is added to Division 5 of the Business and Professions Code, to
3 read:

4
5
6

CHAPTER 17. WATER SUBMETERS

7 13850. (a) Any water submeter tested by a test bench that is
8 regularly calibrated by a cross-check measure shall be deemed to
9 be tested and sealed and approved for commercial use pursuant to
10 any regulations related to the testing and oversight of submeters
11 by the Division of Measurement Standards, including, but not
12 limited to, Sections 12501.1 and 12502, provided that all the
13 following conditions are met:

14 (1) The submeter complies with the accuracy tolerance for
15 submeters as published in the National Institute of Technology
16 Standards Handbook 44.

17 (2) The submeter is otherwise a type approved by the Division
18 of Measurement Standards.

19 (3) The test results are attached to the submeter.

20 (b) Nothing in this section shall be construed to limit or alter
21 any additional regulations relating to testing and oversight of
22 submeters by the Division of Measurement Standards. Nothing in
23 this section shall be construed to affect any regulations promulgated
24 by any city, county, city and county, utility, water district, or
25 similar entity.

O