

1 AN ACT concerning weights and measures.

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 40 as follows:

6 (225 ILCS 470/40) (from Ch. 147, par. 140)

7 Sec. 40. Inspection fee; Weights and Measures Fund.
8 Except as otherwise provided in Section 43, the Director and
9 each sealer shall collect and receive from the user of
10 weights and measures a commercial weighing or measuring
11 device inspection fee. For the use of its Metrology
12 Laboratory, the testings of weights and measures and such
13 other inspection and services performed, the Department shall
14 set a fee, the amount of which shall be according to a
15 Schedule of Weights and Measures Inspection Fees established
16 and published by the Director. The fees so collected and
17 received by the State shall be deposited into a special fund
18 to be known as the Weights and Measures Fund. All weights
19 and measures inspection fees, metrology fees, weights and
20 measures registrations, and weights and measures penalties
21 collected by the Department under this Act shall be deposited
22 into the Weights and Measures Fund. The amount annually
23 collected shall be used by the Department for activities
24 related to the enforcement of this Act and the Motor Fuel and
25 Petroleum Standards Act, and for the State's share of the
26 costs of the Field Automation Information Management project.
27 No person shall be required to pay more than 2 inspection
28 fees for any one weighing or measuring device in any one year
29 when found to be accurate. When an inspection is made upon a
30 weighing or measuring device because of a complaint by a
31 person other than the owner of such weighing or measuring

1 device, and the device is found accurate as set forth in
2 Section 8 of this Act, no inspection fee shall be paid by the
3 complainant. Any time a weighing or measuring device is
4 found to be inaccurate, the user shall pay the inspection
5 fee.

6 If any person fails or refuses to pay a fee authorized by
7 this Section, the Department may prohibit that person from
8 using commercial weighing and measuring devices.

9 (Source: P.A. 91-704, eff. 7-1-00; 92-676, eff. 7-16-02.)