

## MEMORANDUM

**To:** The House Committee on Agriculture and Natural Resources

**From:** The Office of Revisor of Statutes

**Date:** 2/10/2025

**Re:** H.B. 2255, as Introduced: Amending definitions concerning weights and measures increasing minimum invoice fees, requiring licenses and education for service company operators, mandating annual device inspections, except for devices with a nominal capacity of 250 pounds or greater used in grain elevators and requiring electric vehicle supply equipment to be tested and inspected annually.

---

Pursuant to Chapter 83 of the Kansas Statutes Annotated, the Kansas department of agriculture inspects the accuracy of weights, scales, and point-of-sale systems. Chapter 83 is split into five articles<sup>1</sup>, which contain many similar sections concerning definitions<sup>2</sup>, licensing and regulations<sup>3</sup>, penalties for violations<sup>4</sup>, administrative procedures<sup>5</sup> and severability<sup>6</sup>. The bill would repeal those sections and consolidate their provisions into articles 2 and 5 and new sections 16<sup>7</sup> and 17<sup>8</sup>.

The current tables in K.S.A. 83-214<sup>9</sup> that determine the fees that the secretary may charge for weights and measures testing services would be replaced with a reorganized table with some different rows, columns and fee amounts.

---

<sup>1</sup> Art 1. Authorized Standards and Enforcement Provisions; Art 2. Standards and Enforcement; Art 3. Scales; Art. 4. Dispensing Devices; 5. Civil Penalties

<sup>2</sup> K.S.A. 83-301 and 83-401

<sup>3</sup> K.S.A. 83-302, 83-303, 83-402 and 83-403

<sup>4</sup> K.S.A. 83-149, 83-154, 83-155, 83-311, 83-409, 83-410 and 83-502

<sup>5</sup> K.S.A. 83-308 and 83-407

<sup>6</sup> K.S.A. 83-326 and 83-411

<sup>7</sup> Pg. 17, line 20

<sup>8</sup> Pg. 19, line 6

<sup>9</sup> Sec. 5, page 7

New Sections 23 and 24<sup>10</sup> would establish brand-new requirements for owners and operators of electric vehicle equipment<sup>11</sup> used commercially, including the following requirements:

- The equipment must be tested and inspected annually by a licensed technical representative, city or county representative, or the secretary.
- If the equipment has not been tested and inspected within the preceding 365 days, it must be taken out of service;
- Test weights and measures must be approved and sealed within the preceding 365 days.
- Reports of tests or inspections must be furnished to the owner or operator and sent to the secretary within 10 days if not performed by the secretary.
- Inaccurate equipment must be withdrawn from use until corrected and verified as accurate.
- Service companies must maintain reports of all work performed on electric vehicle supply equipment at their headquarters or resident agent's office.
- The secretary may test electric vehicle supply equipment for accuracy after repairs if notified of non-compliance with tolerances and specifications adopted by the secretary.

H.B. 2255 would become effective upon publication in the statute book.

---

<sup>10</sup> Pages 25, line 2 through 26, line 19

<sup>11</sup> "Electric vehicle supply equipment" means a device with one or more charging ports and connectors for charging electric vehicles. "Electric vehicle supply equipment" includes all charging ports and supporting equipment necessary for the operation thereof and the area in the immediate vicinity of the same, including adjacent parking areas and lanes for vehicle ingress and egress.

*Session of 2025*

**HOUSE BILL No. 2255**

By Committee on Agriculture and Natural Resources

Requested by Kelsey Olson on behalf of the Kansas Department of Agriculture

2-4

1 AN ACT concerning weights and measures; consolidating chapter 83  
2 definitions into a single section; defining device for weighing,  
3 measuring or both; increasing the minimum fee per invoice from \$50 to  
4 \$70; authorizing licensed service companies and city or county  
5 departments of weights and measures to remove rejection tags for test  
6 or repair purposes; requiring any such entity to replace the rejection tag  
7 with a substitute if the device or equipment cannot be repaired and  
8 notify the secretary; requiring persons desiring to operate as a service  
9 company to obtain a license; establishing fees and procedures for such  
10 licensure; requiring nonresident service companies to designate a  
11 resident agent; requiring technical representatives to be licensed, attend  
12 continuing education seminars and pass an examination; authorizing  
13 the secretary to charge a fee for continuing education seminars;  
14 prohibiting service companies from receiving or renewing a license  
15 until their weights or measures, or both, are tested and sealed;  
16 authorizing the secretary to accept a calibration certificate in lieu of a  
17 test; authorizing the secretary to revoke, suspend, decline to renew or  
18 decline to issue a service company or technical representative license  
19 after notice and hearing for certain violations; requiring weights or  
20 measurers, or both used commercially to be tested and inspected  
21 annually by a licensed technical representative, an authorized city or  
22 county representative or the secretary; requiring test weights or  
23 equipment used in grain elevators to be approved and sealed annually,  
24 or every three years for those with a nominal capacity of 250 pounds or  
25 greater; requiring reports of tests and inspections to be furnished to the  
26 owner or operator and the secretary within 10 days; requiring electric  
27 vehicle supply equipment used commercially to be tested and inspected  
28 annually; requiring reports of tests and inspections of electric vehicle  
29 supply equipment to be furnished to the owner or operator and the  
30 secretary within 10 days; requiring electric vehicle supply equipment  
31 found to be inaccurate to be withdrawn from use until repaired and  
32 such equipment has met tolerances and specifications; requiring service  
33 companies to keep copies of reports for electric vehicle supply  
34 equipment; amending K.S.A. 83-201, 83-202, 83-207, 83-208, 83-214,  
35 83-215, 83-216, 83-217, 83-218, 83-219, 83-220, 83-221, 83-222, 83-

1 *evidencing or relating to the weight of any personal property or any entry*  
2 *or item thereon; and*

3 (28) *weigh any vehicle at an attended public scale or issue any scale*  
4 *ticket or other written record evidencing or relating to the weight of such*  
5 *vehicle or the load thereon, unless such scale ticket or written record*  
6 *shows the date, time and place of the weighing and the signature of the*  
7 *weigher.*

for hire,

8 (b) It shall be unlawful for any service company or technical  
9 representative to knowingly:

10 (1) Act as or represent such person's self to be a technical  
11 representative without having a valid license issued by the Kansas  
12 department of agriculture;

13 (2) certify a device as correct unless the device meets the tolerances  
14 and specifications as required by *this chapter 83 of the Kansas Statutes*  
15 ~~Annotated, and amendments thereto, or any rules and regulations adopted~~  
16 ~~thereunder;~~

17 (3) hinder or obstruct in any way the secretary in the performance of  
18 the secretary's official duties under *this chapter 83 of the Kansas Statutes*  
19 ~~Annotated, and amendments thereto, or any rules and regulations adopted~~  
20 ~~thereunder;~~

21 (4) fail to follow the standards and requirements set forth in K.S.A.  
22 83-202, and amendments thereto, or any rules and regulations adopted  
23 thereunder;

24 (5) fail to complete the testing or placing-in-service report in its  
25 entirety and to report the accurate description of the parts replaced,  
26 adjusted, reconditioned or work performed;

27 (6) file a false or fraudulent service company or technical  
28 representative application or reports to the secretary;

29 (7) fail to pay all fees and penalties as prescribed by *this chapter 83*  
30 ~~of the Kansas Statutes Annotated, and amendments thereto, and the rules~~  
31 ~~and regulations adopted thereunder;~~

32 (8) fail to keep or make available for examination in an accessible  
33 and legible manner or provide to the secretary in a legible manner all  
34 inspection reports, test reports; and any other service or report work  
35 information on any device ~~which~~ *that* the service company or an agent or  
36 employee performed work on and other information necessary for the  
37 enforcement of *this chapter 83 of the Kansas Statutes Annotated, and*  
38 ~~amendments thereto, or any rules and regulations adopted thereunder; or~~

39 (9) sell, offer or expose for sale a *device used for weighing or,*  
40 *measuring device or both* intended to be used commercially, ~~which~~ *that* is  
41 not traceable to a national type evaluation program certificate of  
42 conformance.

43 (c) For the purpose of subsection (a)(4), the selling and delivery of a