

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 5422. Governor: Specific Powers and Duties; Regulations.

(a) The Governor shall issue reasonable regulations for the enforcement of this chapter, which regulations shall have the force and effect of law.

(b) These regulations may include:

(1) Rules governing the technical and reporting procedures to be followed, and the report and record forms and marks of approval and rejection to be used by inspectors of weights and measures in the discharge of their official duties;

(2) Schedules of fees for testing and certifications;

(3) Exemptions from the sealing or marking requirements of 4 CMC § 5427 with respect to weights and measures of such character or size that sealing or marking would be inappropriate, impracticable, or damaging to the apparatus in question; and

(4) With respect to classes of weights and measures found to be of such character that annual retesting is unnecessary to continue accuracy, exemptions from the requirements of 4 CMC § 5423 for annual testing, and schedules fixing the frequency of required retests for classes of devices so exempted;

(5) All fees levied and collected by the Governor pursuant to this subdivision may be expended by the Governor for the administration and enforcement of this chapter.

(c) These regulations shall include specifications, tolerances, and regulations for weights and measures of the character of those specified in 4 CMC § 5423, designed to eliminate from use, without prejudice to apparatus that conforms as closely as practicable to the official standards, those:

(1) That are not accurate;

(2) That are of such construction that they are faulty, that is, that are not reasonably permanent in their adjustment or will not repeat their indications correctly; or

(3) That facilitate the perpetration of fraud.

The specifications, tolerances, and regulations for commercial weighing and measuring devices, together with amendments thereto, as recommended by the National Bureau of Standards and published in National Bureau of Standards Handbook 44, Second Edition, as published June 16, 1965 (or any subsequent similar publication), shall be the specifications, tolerances, and regulations for commercial weighing or measuring devices of the Commonwealth.

(d) The Governor has discretion to adopt, by regulations, any supplement to the National Bureau of Standards Handbook 44, Second Edition, or any subsequent similar publication by the bureau. For purposes of this chapter, an apparatus shall be deemed to be "correct" when it conforms to all applicable requirements promulgated as specified in this section; other apparatus shall be deemed to be "incorrect."

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Source: DL 5-20, § 7.

Commission Comment: See the comment to 4 CMC § 5414.