

DEPARTMENT OF FOOD AND AGRICULTURE



Division of Measurement Standards
8500 Fruitridge Road
Sacramento, California 95826

DMS NOTICE
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February 21, 2003

Discard: Retain

TO WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Water Meter Device

Several counties recently have had water meter components submitted by service agencies for testing without complete water meter assemblies. Meters submitted to a county sealer for verification must be properly calibrated and completely assembled with all parts supplied with each device. When type approved, all water meter components, which make up a complete water meter device, have provisions for security. A water meter device usually consists of a register and a main case body. Some models have an additional external threaded pipe connection. If the additional external threaded pipe connection is not assembled and sealed to the meter case body, the calibration can be altered after it is tested by the local official. For your convenience, excerpts from the California Code of Regulation and California Business and Professions Code are enclosed.

If you have any questions, please contact Ken Lake at (916) 229-3047, or your regional Measurement Standards Specialist.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Cleary".

Mike Cleary
Director
(916) 229-3000

Enclosures

**Business and Professions Code
Division 5, Chapter 5.5**

Service Agencies for Weighing and Measuring Devices

ARTICLE 1. DEFINITIONS

Section 12531. Meaning and Scope Of Terms

(c) "Device" means any weighing or measuring equipment, contrivance, or instrument used, or designed to be used, for determining weight or measure, and includes any tool, appliance, or accessory used in connection therewith, that is used for commercial purposes as defined in subdivision (e) of Section 12500.

(d) "Placed in service" means to permit the use of a device that has been tested and found to be correct, as defined in subdivision (c) of Section 12500, and type approved, as provided for in Section 12500.5, or to submit a device to a sealer for verification prior to installation.

(e) "Correct" means any device that meets all of the tolerance and specification requirements of Section 12107.

(f) "Repair," in any of its variant forms, means to provide maintenance, or to install, adjust, recondition, or service a device.

**California Code of Regulations
Title 4, Division 9, Chapter 4**

**Registration Of Service Agencies For Commercial Weighing And Measuring
Devices**

Section 4085. Responsibility of a Service Agency.

(a) Each service agency shall be responsible for compliance with the following:

(1) **Repairing or Placing Devices into Service.** - Each service agency shall place into service, upon installation or following repair, a device in such a manner that it meets all the requirements of Division 5 of the California Business and Professions Code and all the requirements of the California Code of Regulations, Title 4, Division 9. Weighing or measuring devices which are not "correct", as defined by Section 12500(c) of the Business and Professions Code, shall not be placed into service.

- (2) **Notice to County Sealer of Repairing or Placing of Device into Service by Service Agency.** - Each service agency shall notify the county sealer of the repairing or placing in service of any device. The notice shall be in writing, and transmitted to the county sealer within the 24-hour period following the repair, except as provided by Business and Professions Code Section 12515(b).

The notification shall include the following minimum identifying information;

- (i) Name and address of service agency.
- (ii) Location of device(s). Name and address, including if available the unique identifier used by the business (e.g., pump or checkstand number).
- (iii) Name of service agent.
- (iv) Date of adjustment, repair, placing, or replacing into service.
- (v) Name of device manufacturer(s).
- (vi) Model designation(s) and serial number(s) of the device(s).
- (vii) On new installations, the National Institute of Standards and Technology or National Conference on Weights and Measures Certificate of Conformance number(s) for each separately approved component or device, if marked on the component or device.

- (3) **Security Seal.** - Service agents shall replace a security seal on any adjustment mechanism where the seal was required to be removed for service, repair, or installation. Before placing a device into service, service agents shall install a security seal on any adjustment mechanism designed to be sealed.

- (4) **Identification of Service Agency Work.** - Service agents shall identify their work on each device by applying an adhesive tag or label in a conspicuous location on the device. The adhesive tag or label shall show the name, registration number and business telephone number of the service agency, the license number of the service agent performing the work, and the date. Any security seal required pursuant to Section 12107 of the California Business and Professions Code shall show the registration number of the service agency and the year the security seal was placed on the device.

- (5) **Certificate of Accuracy of Standards.** - A service agency shall, on request from a sealer, show a copy of the certification of accuracy for the standards used to place a device into service.