

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0285

HOUSE BILL NO. 1035

Introduced by: The Committee on Commerce and Energy at the request of the Department
of Public Safety

1 FOR AN ACT ENTITLED, An Act to allow electronic submission and record keeping of placed
2 in service reports.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 37-21A-1 be amended to read as follows:

5 37-21A-1. Terms as used in this chapter, ~~unless the context otherwise requires,~~ mean:

6 (1) "Division," the secretary of the Department of Public Safety;

7 (2) "Placed in service report," a report submitted to the Office of Weights and Measures
8 by a registered service agent or agency, certifying that the subject device meets the
9 applicable state requirements and is legal for trade;

10 (3) "Registered service agency," any agency, firm, company, or corporation which, for
11 hire, award, commission, or any other payment of any kind, installs, services, repairs,
12 or reconditions a weighing or measuring device, and which voluntarily registers itself
13 as such with the secretary. Under agency registration, identification of individual
14 servicemen shall not be required;

15 ~~(3)~~(4) "Registered ~~serviceman~~ service agent," any individual who for hire, award,



1 commission, or any other payment of any kind, installs, services, repairs, or
2 reconditions a weighing or measuring device, and who voluntarily registers ~~himself~~
3 as such with the secretary.

4 Section 2. That § 37-21A-6 be amended to read as follows:

5 37-21A-6. The director shall furnish each registered ~~serviceman~~ service agent and registered
6 service agency with a supply of report forms in hard copy or electronic form to be known as a
7 placed in service reports. The report, which may be submitted as follows:

8 (1) To submit a form in hard copy, the form shall be executed in triplicate, shall include
9 the assigned registration number, and shall be signed by a registered ~~serviceman~~
10 service agent or by a ~~serviceman~~ service agent representing a registered agency for
11 each rejected or inoperative device restored to service and for each newly installed
12 device placed in service. Within seven days after a device is restored to service, or
13 placed in service, the original of the properly executed placed in service report,
14 together with any official rejection tag removed from the device, shall be mailed to
15 the ~~director~~ Office of Weights and Measures. The duplicate copy of the report shall
16 be handed to the owner or operator of the device, and the triplicate copy of the report
17 shall be retained by the registered ~~serviceman~~ service agent or agency; or

18 (2) To submit a form electronically, the form shall include the assigned registration
19 number, and shall be signed by a registered service agent or by a service agent
20 representing a registered agency for each rejected or inoperative device restored to
21 service and for each newly installed device placed in service. Within seven days after
22 a device is restored to service, or placed in service, the original of the properly
23 executed placed in service report, together with any official rejection tag removed
24 from the device, shall be e-mailed to the Office of Weights and Measures. The placed

1 in service report shall also be e-mailed to the owner or operator of the device, and a
2 copy of the report shall be retained by the registered service agent or agency. An
3 electronic copy of the placed in service report may be submitted to the director, kept
4 for record purposes, and provided to the device owner or operator in lieu of hard
5 copies only if the owner or operator agrees.