July 24, 2014

TO: Weights and Measures Service Establishments and Service Technicians

FROM: Jeff M. Witte, Director/Secretary

SUBJECT: Weights and Measures Law, Registration Requirements (SCS 2014 E-16)

This external policy supersedes SCS 2012 E-16 dated January 17, 2012.

Under authority granted by the Weights and Measures Law (Chapter 57-17-1 through 19, NMSA 1978 Compilation), the Board of Regents of New Mexico State University amended 21 NMAC 16.5, effective March 1, 2007. 21 NMAC 16.5 provides for the bonding and registration of service technicians and service establishments for commercial weighing or measuring devices. The application of 21 NMAC 16.5 to your business depends on the nature of your business. The following definitions are offered to clarify the application of the rule to your business.

A. Commercial weighing or measuring device -- any device, commercially used or employed in establishing the quantity, weight, count, or size of products involving a monetary transaction or in computing any basic change or payment for services rendered on the basis of weight or measure.

B. Full service establishment - any person, firm, or company which for the purpose of direct or indirect benefit installs, services, repairs, or reconditions commercial weighing or measuring devices. (Bond required)

C. Limited service establishment - any person, firm, or company which installs, services, repairs, or reconditions commercial weighing or measuring devices solely under its ownership. (No bond required)

D. Service technician - any individual employed by a full or limited service establishment who installs, services, repairs, or reconditions commercial weighing or measuring devices.

E. Place in service - to approve a new or used device for commercial use at the time of installation or after repair following official rejection by the New Mexico Department of Agriculture (NMDA).

F. Place in service report - official report required to be submitted to NMDA at the time of installation of a new or used commercial device or when returning to commercial use a device that was officially rejected by NMDA.
21 NMAC 16.5 in no way precludes or limits the right and privilege of an individual to install, service, or repair a commercial device to be used by himself or his employer. However, without registration, such individual is not permitted to place a device into commercial service or to remove official stickers or tags. Only devices placed in service by a registered service technician or by NMDA are legal for commercial use in New Mexico.


Registration as a full or limited service establishment requires annual calibration of test standards used to place devices into commercial service. Calibrations may be provided by the NMDA Metrology Laboratory or any metrology laboratory approved by NMDA. Calibration certificates are valid for twelve (12) months only. Because calibrations can be time consuming, they will be done by appointment only.

The annual license fee is one-hundred fifty dollars ($150) per registered service establishment and fifty dollars ($50) for each service technician registered by the full or limited service establishment. If the complete application for renewal of registration is not filed prior to the expiration of the current registration, a late registration fee of one hundred dollars ($100) shall be charged in addition to the annual registration fees. All fees shall accompany the application for registration.

To become registered, or to re-register, complete the enclosed application, arrange for the required bond (full service registration only) and return the application and bond to NMDA accompanied by the registration fees and valid calibration certificate.

If you have any questions about this matter, please refer them to:

Joe E. Gomez, Division Director or
Raymond E. Johnson, Assistant Division Director
Division of Standards and Consumer Services
MSC 3170, P.O. Box 30005
Las Cruces, New Mexico 88003-8005
(575) 646-1616

JMW/jeg

Attachments:  Weights and Measures Law (Initial Registration)
21 NMAC 16.5
Registration Application For
Weights and Measures -- Bonding Requirements (SCS 2014 E-9)
Corporate Surety Bond Form (Full Service Registration only)
Notice of Handbook Availability Order Form
Test Standards Submitted for Calibration Memorandum

SCS 2014 E-16 Expires 12-31-2015