

**DATE:** March 27, 2018

**TO:** Device Owners Operating in New Hampshire

**SUBJECT:** New Hampshire Device Licensing Requirements

**FROM:** Scott Vaillancourt  
Director  
Division of Weights and Measures

It has been a practice of The New Hampshire Division of Weights and Measures to allow some weighing and measuring devices, such as oil trucks and propane trucks, to operate commercially in the state of New Hampshire, if such devices had current certification from a neighboring state.

This practice is contrary to the New Hampshire Division of Weights and Measures' administrative rules and New Hampshire statutes. Therefore, **effective October 1, 2018**, all required devices shall meet the licensing requirements prior to being put into commercial use in the state of New Hampshire. All such devices shall be certified by a registered New Hampshire service technician, in accordance with NH administrative rule Agr 1407.

***PART Agr 1407 LICENSING OF COMMERCIAL DEVICES***

*Statutory Authority: RSA 438:7, VI, 438:8, I (f), 438:10-a, 438:19*

*Agr 1407.01 Purpose. The purpose of these rules is to describe the procedures required for businesses seeking to apply for a device license and license renewal.*

*Agr 1407.02 Licensure of Weighing, Measuring, Counting and Timing Devices Used Commercially.*

*(a) The following devices shall not be put into commercial use unless they have been licensed by the division:*

- (1) Weighing, measuring and counting devices, with the exception of pre-pack and factory scales, used to determine the weight, measure, or count of commodities sold or offered or exposed for sale;*
- (2) Weighing, measuring and counting devices used to compute a basic charge or payment for services rendered on the basis of weight, measure, or count; and*

***(b) Devices described in (a) above shall be inspected, tested, and certified by a division inspector or a registered New Hampshire service technician before being licensed and put into commercial use.***

***(c) Devices described in (a) above shall:***

***(1) Be inspected and tested annually; and***

***(2) Display a certification stamp bearing the date of the current year or the preceding year.***

Lists of licensed service technicians can be found on our website at <https://www.agriculture.nh.gov/divisions/weights-measures/businesses.htm>.

Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Vaillancourt".

Scott Vaillancourt  
Director  
Division of Weights and Measures

cc: Shawn N. Jasper, Commissioner