

Memo

TO: Licensed Service Technicians
FROM: New Hampshire Division of Weights and Measures
DATE: July 2016
RE: **Batching Scales: Commercial versus Non-Commercial Devices**

Please be advised that the Division of Weights and Measures (“Division”) asks that all licensed service technicians and service companies note the following memorandum. This memo serves as a reminder and clarification of the Division’s laws and administrative rules for the requirements of licensing and certifying commercial devices, specifically batching scales. This memo also emphasizes important differences between commercial and non-commercial batching scales devices.

Batching Scales: Commercial versus Non-Commercial Applications

Batching systems are used when two or more ingredients are mixed together to create a finished product. Examples of batching systems include those used at asphalt and concrete plants to mix several components together for retail sale. These systems use a scale to weigh the ingredients as well as determine the total weight of the product. Specific facts that determine whether a batching scale is used in a commercial or non-commercial application depends on the procedure used and how the customer is charged. Note the following:

- If the weight is determined from the use of the batching scale and the customer is charged based on that weight, then the scale is commercial and needs to be legal-for-trade, certified by a licensed New Hampshire service technician, and licensed with the Division.
- If the customer is charged based on the weight determined from a vehicle scale that weighs the product obtained from the batching scale, then the batching scale is considered non-commercial and does not need to be certified and licensed. However, the vehicle scale needs to be legal-for-trade, certified and licensed.
- One caveat: The owner of a non-commercial batching scale may have their scale licensed and certified if they wish as long as it is a legal-for-trade scale. However, it is not mandatory for non-commercial batching scales to be certified and licensed pursuant to the Division’s laws and rules.