

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF
TRANSPORTATION AND PUBLIC FACILITIES

BRIEF DESCRIPTION

The Department of Transportation and Public Facilities proposes to change **regulations** relating the adoption of updated National Institute of Standards and Technology handbooks and to add and update fees charged for the Metrology Laboratory, annual device registration fees, and other weighing and measuring fees.

The Alaska Department of Transportation and Public Facilities proposes to amend regulations in Title 17 of the Alaska Administrative Code, dealing with Measurement Standards, including the following:

- (1) Article 1, Testing Equipment, is proposed to be changed as follows:
 - 17 AAC 90.047, Annual Verification. Proposed update to newest edition.
- (2) Article 4, Commodities, is proposed to be changed as follows:
 - 17 AAC 90.615, Checking the Net Contents of Packaged Goods. Proposed update to newest edition.
 - 17 AAC 90.616, Method of sale; Commodities. Proposed update to newest edition.
 - 17 AAC 90.617, Uniform Packaging and Labeling. Proposed update to newest edition.
- (3) Article 5, Price Verification, is repealed and readopted in full.
- (4) Article 6, National Type Evaluation Program (NTEP), is proposed to be changed as follows:
 - 17 AAC 90.740, Certificate of Conformance. Proposed update to newest edition.
- (5) Article 8, Metrology Laboratory Fee for Service, is proposed to be changed as follows:
 - 17 AAC 90.910 fees associated with National Type Evaluation Program (NTEP) Class II or III, Liquid Propane Gas (LPG), and thermometry are proposed.
- (6) Article 9, Weighing and Measure Device Registration and Fees, is proposed to be changed as follows:
 - 17 AAC 90.920 fees associated with LPG, gold, and marijuana are proposed. Scanner system is replaced with check-out register and updated from one fee to three separate fees. Updated flow rates for liquid measuring devices and key-lock or card-reader systems. Will adopt on July 1, 2018.
- (7) Article 10, Definitions, is proposed to be changed as follows:

17 AAC 90.990 proposed update to definition: Check-out register.

Written Comments: You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alaska Department of Transportation & Public Facilities, attention Donald Brewer at 12050 Industry Way, Building O, Suite 6, Anchorage, Alaska 99515. Additionally, the Department of Transportation and Public Facilities will accept comments by facsimile at (907) 345-7818 and by electronic mail at chapter90regs@alaska.gov. The comments must be received no later than 5:00 p.m. on January 19, 2017.

Hearing: Oral or written comments also may be submitted at a hearing to be held on Thursday, January 11, 2017, in the Conference Room, 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515. The hearing will be held from 2:00 p.m. to 4:00 p.m.

Written Questions: You may submit written questions relevant to the proposed action to the Department of Transportation & Public Facilities, attention Donald Brewer at 12050 Industry Way, Building O, Suite 6, Anchorage, Alaska 99515, or chapter90regs@alaska.gov. Questions must be received at least 10 days before the end of the public comment period. The Department of Transportation and Public Facilities will aggregate its responses to substantially similar questions and make the questions and response available on <http://dot.alaska.gov/mscve/>. The Department of Transportation and Public Facilities may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

Special Accommodations: If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Donald Brewer at (907) 365-1210 no later than January 9, 2017 to ensure that any necessary accommodations can be provided.

Comments Public Information: All written comments received by DOT&PF regarding the proposed regulation changes are public records and are subject to public inspection.

Proposed Regulations: A copy of the proposed regulation changes is available on the Alaska Online Public Notice System (and/or through the electronic link to the complete text on the Alaska Online Public Notice System) or by contacting the Department of Transportation & Public Facilities, attention Donald Brewer at 12050 Industry Way, Building O, Suite 6, Anchorage, Alaska 99515 or by electronic mail at chapter90regs@alaska.gov.

Action: After the public comment period ends, the Department of Transportation and Public Facilities will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

Statutory Authority: AS 45.75.010; AS 45.75.020; AS 45.75.040; AS 45.75.050; AS 45.75.070; AS 45.75.080; AS 45.75.120

Statutes Being Implemented, Interpreted, or Made Specific: AS 45.75.040; AS 45.75.050; AS 45.75.070; AS 45.75.080; AS 45.75.100; AS 45.75.110; AS 45.75.120; AS 45.75.190; AS 45.75.200; AS 45.75.210; AS 45.75.220; AS 45.75.225; AS 45.75.230; AS 45.75.240; AS 45.75.282; AS 45.75.290; AS 45.75.300

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/11/2017
December 11, 2017



Daniel V. Smith, Director
DOT&PF / MSCVE