

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
DIVISION OF CONSUMER PROTECTION
OFFICE OF WEIGHTS AND MEASURES

102 Governor Street, Richmond, VA 23219

Phone: (804) 786-2476 • Fax: (804) 786-1571 • Email: owm@vdacs.virginia.gov
www.vdacs.virginia.gov

Revised 8.2024

WEIGHTS AND MEASURES SERVICE AGENCY AND SERVICE TECHNICIAN LICENSING PACKET

The Virginia Weights and Measures Service Agencies and Technicians Law (Va. Code § 3.2-5700et seq.) requires any business engaged in the adjustment, installation, placing in service, recommending for use, reconditioning, repairing, servicing, or selling of any weight and measure commercially used device shall be registered with the Commonwealth.

The Virginia Service Agency and Technician license period is from January 1 through December 31 of each year. Renewal applications are automatically generated and mailed to the company of current technician prior to December of each year by the Office of Weights and Measures.

Before a permit can be issued for your business and service technician(s), the following steps are required by the **Code of Virginia, Chapter 57. Weights and Measures Service Agencies and Technicians**:

1. Submit Service Agency and Service Technician Application Forms (completed, signed, and dated).
2. Agency must furnish this office with a **Certificate of Calibration** issued by a government metrology laboratory indicating the size and amount of all test equipment in your possession.
3. The service technician must present a valid proof of completion of a training course approved by the Commissioner. This will be the **Certificate of Completion**. Training is required every (3) years. (**Note: Information regarding accessing the online training is within this packet**)
4. A picture and description of the **uniquely identifiable Security Seal** your agency utilizes must accompany the application in order to complete the registration process.

Example Security Seal:



Every service agency shall furnish each service technician in its employ with a supply of report forms **entitled "PLACED INTO SERVICE REPORT" (PISR) prescribed by the Commissioner.** (**You may choose to create a PISR, granted it complies with the Commissioner prescribed report forms. **Please find the recommended form on-line for your specific area of work at:**

[The Virginia Department of Agriculture and Consumer Services Forms](#) (Weights & Measures)

*******REQUIREMENTS for Electric Vehicle Service Equipment (EVSE) Agencies and Technicians*******

EVSE(s) are those devices, accessories, and systems used for the measurement of electricity dispensed in vehicle fuel applications wherein a quantity determination or statement of measure is used wholly or partially as a basis for sale or upon which a charge for service is based

Before registration for certification can be issues for your business and service technician(s), the following steps are required by the **Code of Virginia, Chapter 57. Weights and Measures Service Agencies and Technicians**:

1. Submit Service Agency and Service Technician Application Forms (completed, signed, and dated along with payment).
2. Must provide a fully executed **Placed Into Service Report (PISR)** for **ALL** Electric Vehicle Service Equipment (EVSE) that has been Placed Into Service in the Commonwealth of Virginia.

****Presently, there is no training required for Electric Vehicle Service Equipment (EVSE)**

NOTE: ALL documentation should be submitted together before you can be certified in Virginia.

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ACCESSING THE ONLINE SERVICE TECHNICIAN TRAINING WITH AN ACCOUNT

1. Enter <https://covlc.virginia.gov/Default.aspx> in your web browser and **log-in** to the Commonwealth of Virginia Learning Center.
2. Once you have accessed the Virginia Learning Center, **click on the “Catalog” button** at the top of the screen. **Type “service technician”** in the search for box and **click “search”**.
3. The first two results that should come up are “Service Technician Meter Training – Office of Weights and Measures” and “Service Technician Scale Training – Office of Weights and Measures”. **Please select the appropriate training for your field of work.** You may need to take both. (NOTE: *If the current year is not available, you may take “any year” training for certification.*)
4. You will then see a screen with a blue button that says “START” under or beside the title of the course. **Click that “START” button** and **“LAUNCH”** the training.
5. A separate window will appear and there will be **two columns**. In the **left-hand column, you will see the title of the course. Double click this title.** The course will then appear in the right-hand column.
6. Take the course by scrolling through the slides using the “previous” and “next” buttons. Make sure you pay close attention to the items in red.
7. At the end of the course there will be a 10-question quiz. You must score at least an 80% to pass the course. Once complete, click the “Finish” button. Once done you may exit the course by clicking the “x” in the top right-hand corner.
8. A screen will appear with a message that you have completed the item. **Make sure you click “View Certificate” and print the certificate out. You must print the certificate and send in a copy with your application.**

FIRST TIME USERS AND/OR LOST CREDENTIALS

1. If you are a **first time user** of the system, please send your first and last name along with your email address to owm@vdacs.virginia.gov, and **request that an account be created** for you to take the technician training.
2. If you have **lost your log-in credentials**, please send your first and last name along with your email address to owm@vdacs.virginia.gov and **request a password reset.**
3. You will receive an email from the COV Learning Center to the email address you provide to us for account activation and/or password reset.
4. After receiving this email, please follow the instructions above (“**Accessing The Online Service Technician Training with an Account**”) to take the training.

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**APPLICATION FOR WEIGHTS AND MEASURES
SERVICE AGENCY & ELECTRIC VEHICLE SERVICE (EVSE) CERTIFICATION**

(PLEASE PRINT OR TYPE)

BUSINESS ID No.: _____

NEW (never certified in Virginia) **REACTIVATING**

BUSINESS CHANGE OF INFORMATION ONLY:

Address Change Business Name Change Contact Information Change Out-of-Business Other _____

COMPANY FEDERAL ID NO: _____

COMPANY NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX: _____

CONTACT PERSON: _____ EMAIL: _____

1. Documentation of verification pursuant to Va. Code § [3.2-5706](#) of the weights or measures standards and calibrating equipment used or to be used by the service agency (Attached): YES NO
2. Application(s) attached for every person functioning as a service technician in the Commonwealth in your employ: YES NO
 - a. Branch and/or work location(s) included (if different from above for your technicians)
3. Proof of a uniquely identifiable security seal that is to be used by the service agency (Image Attached): YES NO

(NOTE: If you only install devices and do not service devices, **NO SEAL** is required)

➤ Please furnish each service technician in your employ with a supply of report forms entitled "Placed into Service Report."

POSITION OF WORK	BUSINESS TYPE	DEVICE CLASS
<input type="checkbox"/> SALES	<input type="checkbox"/> MOTOR FUEL	<input type="checkbox"/> SMALL CAPACITY SCALES (1,000 LBS OR LESS)
<input type="checkbox"/> SERVICE	<input type="checkbox"/> VEHICLE TANK METERS	<input type="checkbox"/> LARGE CAPACITY SCALES (OVER 1,000 LBS)
<input type="checkbox"/> BOTH	<input type="checkbox"/> LP GAS	<input type="checkbox"/> ALL SCALES
<input type="checkbox"/> INSTALLATION ONLY	<input type="checkbox"/> BULK METERS	<input type="checkbox"/> MOTOR FUEL DISPENSERS
	<input type="checkbox"/> SCALES	<input type="checkbox"/> RAILROAD TRACK OR BELT CONVEYOR
<input type="checkbox"/> INSTALLATION SERVICES (EVSE)	<input type="checkbox"/> ELECTRIC VEHICLE SERVICE EQUIPMENT (EVSE)	LPG METERS <input type="checkbox"/> VTM <input type="checkbox"/> BULK METERS <input type="checkbox"/> ALL METERS <input type="checkbox"/>

EXEMPT FROM FEES (Va Code §3.2-5705): YES NO

If NON-Exempt, each service agency shall pay a registration fee of \$100 made payable TREASURER OF VIRGINIA

➔ SIGN AND RETURN THIS APPLICATION ALONG WITH YOUR PAYMENT TO THE ADDRESS AT THE TOP OF THIS FORM.

SIGNATURE: _____ DATE: _____

PRINT NAME: _____

The Commissioner may deny, suspend, or revoke any registration or renewal if the application is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for registration or renewal that he knows to be false or fraudulent.

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APPLICATION FOR WEIGHTS AND MEASURES SERVICE TECHNICIAN CERTIFICATION
(PLEASE PRINT OR TYPE)

<input type="checkbox"/> NEW (never certified in Virginia) <input type="checkbox"/> REACTIVATING <input type="checkbox"/> TRANSFERRING	TECHNICIAN NO.: _____ VDACS PERMIT NO.: _____
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TECHNICIAN NAME: _____
 HOME ADDRESS: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 TELEPHONE: _____ EMAIL: _____

REGISTERED SERVICE AGENCY EMPLOYING APPLICANT	BUSINESS ID No.: _____
COMPANY NAME: _____	
MAILING ADDRESS: _____	
CITY: _____	STATE: _____ ZIP CODE: _____
TELEPHONE: _____	FAX: _____
CONTACT PERSON: _____	EMAIL: _____

BRANCH OR WORK LOCATION OF EMPLOYEE (if different from above)

ADDRESS: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 TELEPHONE: _____ FAX: _____
 CONTACT PERSON: _____ EMAIL: _____

• Please attach Certificate of Calibration” verifying weights and measures standards and calibrating equipment to be used by technician.
 As required by Va. Code § 3.2-5707(B)(6):

I declare under penalty of perjury that I have the authority to be lawfully employed in the United States.

YES NO

Proof of COMPLETION OF TRAINING COURSE - Certificate of Completion, as required (must be attached):

YES NO (If no, you will not be licensed until the certificate is received)

➤ Please only select the **“Business Type(s)”** and **“Device Class”** that applies to your training certificate(s).

POSITION OF WORK	BUSINESS TYPE	DEVICE CLASS
<input type="checkbox"/> SALES	<input type="checkbox"/> MOTOR FUEL	<input type="checkbox"/> SMALL CAPACITY SCALES (1,000 LBS OR LESS)
<input type="checkbox"/> SERVICE	<input type="checkbox"/> VEHICLE TANK METERS	<input type="checkbox"/> LARGE CAPACITY SCALES (OVER 1, 000 LBS)
<input type="checkbox"/> BOTH	<input type="checkbox"/> LP GAS	<input type="checkbox"/> ALL SCALES
<input type="checkbox"/> INSTALLATION ONLY	<input type="checkbox"/> BULK METERS	<input type="checkbox"/> MOTOR FUEL DISPENSERS
	<input type="checkbox"/> SCALES	<input type="checkbox"/> RAILROAD TRACK OR BELT CONVEYOR
<input type="checkbox"/> INSTALLATION SERVICES (EVSE)	<input type="checkbox"/> ELECTRIC VEHICLE SERVICE EQUIPMENT (EVSE)	LPG METERS <input type="checkbox"/> VTM <input type="checkbox"/> BULK METERS <input type="checkbox"/> ALL METERS <input type="checkbox"/>

EXEMPT FROM FEES (Va. Code §3.2-5705): YES NO

If NON-Exempt, each service technician shall pay a registration fee of \$25 made payable TREASURER OF VIRGINIA

➔ SIGN AND RETURN THIS APPLICATION ALONG WITH YOUR PAYMENT TO THE ADDRESS AT THE TOP OF THIS FORM.

SIGNATURE: _____ DATE: _____

PRINT NAME: _____

The Commissioner may deny, suspend, or revoke any registration or renewal if the application is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for registration or renewal that he knows to be false or fraudulent.

INFORMATION REQUIRED FOR PISR

1. DATE OF SERVICE
2. SERVICE AGENCY INFORMATION
 - a. COMPANY NAME
 - b. COMPANY ADDRESS, STREET, STATE, AND ZIP CODE
 - c. COMPANY TELEPHONE NUMBER
 - d. COMPANY REGISTRATION NUMBER
3. BUSINESS SERVICED
 - a. NAME
 - b. ADDRESS STREET, STATE, AND ZIP CODE
 - c. TELEPHONE NUMBER
 - d. MANAGER OR CONTACT NAME
4. REASON FOR SERVICE
 - a. REJECTED OR CONDEMNED EQUIPMENT
 - b. MAINTANENCE OF EQUIPMENT
 - c. EQUIPMENT INSTALLATION
5. REPAIRED EQUIPMENT INFORMATION
 - a. TYPE OF DEVICE
 - b. MAKE
 - c. MODEL I.D.
 - d. SERIAL NUMBER
 - e. LOCATION OF DEVICE
 - f. C OF C (*could be listed on device as the following: NTEP #, CC #, Certificate of Conformance #. This is found on somewhere on the scale platform, under platform, or identification plate of scale*)
 - g. REPAIRS COMPLETED
 - h. TEST RESULTS
 - i. EQUIPMENT SEALED? YES NO AND SEAL I.D.
 - j. TEST EQUIPMENT USED
 - k. TEST EQUIPMENT DATE OF CALIBRATION
6. SERVICE TECHNICIAN
 - a. FULL NAME (PRINTED)
 - b. SIGNATURE
 - c. DATE SIGNED
 - d. TECHNICIAN LICENSE NUMBER AND DATE OF EXPIRATION

Chapter 57. Weights and Measures Service Agencies and Technicians.

§ 3.2-5700. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Certificate of Conformance" means a document issued by the National Type Evaluation Program of the National Institute of Standards and Technology (NIST) of the U.S. Department of

Commerce based on testing in participating laboratories, said document constituting evidence of conformance of a type with the requirements of:

1. National Institute of Standards and Technology Handbook 44; Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices;

2. National Institute of Standards and Technology Handbook 105-1, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Field Standard Weights (NIST Class F);

3. National Institute of Standards and Technology Handbook 105-2, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Field Standard Measuring Flasks; and

4. National Institute of Standards and Technology Handbook 105-3, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards, and supplements thereto, or any publication revising or superseding the publications specified in this definition.

"Condemnation tag" means a tag applied to a weight or measure that fails to pass an official inspection, the application of which tag requires the immediate removal of the weight or measure from service.

"Official inspection" means an inspection by the Commissioner of a commercially used weight or measure pursuant to § [3.2-5609](#).

"Rejection tag" means a tag applied to a weight or measure that fails to pass an official inspection, the application of which tag requires the removal of the weight or measure from service if the weight or measure is not adjusted to conform to requirements specified by the Weights and Measures Act of Virginia (§ [3.2-5600](#) et seq.) or any regulation adopted hereunder.

"Service agency" means: (i) a business; or (ii) that portion of a government or political subdivision engaged in the adjustment, installation, placing in service, recommending for use, reconditioning, repairing, servicing, or selling of any weight or measure commercially used or employed (a) in establishing the size, quantity, extent, area, or measurement of quantities, things, products, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or (b) in computing any basic charge or payment for services rendered on the basis of something's weight or its measure.

"Service technician" means any individual who for hire, award, commission, or any other payment of any kind, adjusts, installs, places in service, recommends for use, reconditions, repairs, services, or sells a commercial weight or measure.

"Standard" means a required basis for conformance, adjustment, or verification.

"System" means the grouping of interacting, interrelated, or interdependent weights or measures to form a complex whole.

"Traceability" means an accounting of the relationship of the calibration of a weight or measure standard or calibrating equipment to a national standard maintained or adopted by the National Institute of Standards and Technology of the U.S. Department of Commerce.

"Weight or measure" means the terms as defined in § 3.2-5600 and shall also include the term

"system" as defined in this chapter.

1992, c. 242, § 3.1-969.1; 2008, c. 860.

§ 3.2-5701. Powers of the Board.

The Board may adopt regulations establishing (i) fees for the registration of service agencies and the certification of service technicians; (ii) categories of registration of service agencies and additional requirements for such registration; (iii) categories of certification of service technicians and additional requirements for such certification; (iv) curricula of training courses for certification and renewal thereof for service technicians; and (v) any other provision for the enforcement and implementation of this chapter, or otherwise necessary or convenient to carry out the purposes of this chapter.

1992, c. 242, § 3.1-969.2; 2008, c. 860; 2013, c. 125.

§ 3.2-5701.1. Powers of the Commissioner.

The Commissioner may establish schedules for the verification of weights or measures standards and calibrating equipment used by service agencies and service technicians.

2013, c. 125.

§ 3.2-5702. Delegation of authority.

The Board may delegate to the Commissioner: (i) any authority vested in it under this chapter, except the authority to adopt regulations; and (ii) any authority contained in § 3.2-5646 relating to the assessment of civil penalties.

1992, c. 242, § 3.1-969.3; 2008, c. 860.

§ 3.2-5703. Registration of service agency.

A. A service agency shall not operate in the Commonwealth without first obtaining registration issued annually by the Commissioner. The application for registration as a service agency or renewal of application shall be made in writing on a form approved by the Commissioner.

B. Each application for registration or renewal shall contain:

1. The name of the service agency, including any fictitious names under which it intends to operate;
2. The principal business address of the service agency;
3. The name of every person functioning as a service technician in the Commonwealth who is in the employ of the service agency;
4. Documentation of verification pursuant to § 3.2-5706 of the weights or measures standards and calibrating equipment used or to be used by the service agency;
5. The fee required by § 3.2-5704; and
6. Proof of a uniquely identifiable security seal for the service agency.

C. The Commissioner may deny, suspend, or revoke any registration or renewal if the application is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for registration or renewal that he knows to be false or fraudulent.

1992, c. 242, § 3.1-969.4; 2008, c. 860; 2016, c. 168.

§ 3.2-5704. Registration fee.

Except as otherwise provided by § 3.2-5705, each service agency shall pay annually a registration fee of \$100. All fees collected pursuant to this section shall be deposited in the state treasury and credited to the Weights and Measures Fund, established by § 3.2-5628.

1992, c. 242, § 3.1-969.5; 2008, c. 860.

§ 3.2-5705. Exemption from registration fee.

A. No service agency shall be required to pay a registration fee under the provisions of this chapter if it is:

1. A business employing service technicians to install, place in service, adjust, repair, service, or recondition weights or measures that are owned or operated by the business but that are used by no other business; or
2. A government or political subdivision engaged in the installation, placing in service, adjusting, repairing, servicing, or reconditioning of weights or measures owned or operated by the government or political subdivision.

B. A service technician that is employed by a business that is exempt from paying a registration fee pursuant to subsection A of this section shall not be required to pay a certification fee under the provisions of this chapter.

1992, c. 242, § 3.1-969.6; 2008, c. 860.

§ 3.2-5706. Examination and verification of standards and calibrating equipment.

Every service agency shall submit any weights or measures standard and calibrating equipment used or to be used by the service agency to the Commissioner for examination and verification, in accordance with a schedule established by the Commissioner. Any weights or measures standard or calibrating equipment calibrated by the weights and measures laboratory of another state, of a territory, or of a protectorate of the United States shall be deemed to be properly calibrated and hence lawful for use in the

Commonwealth if the service agency proffering for use the weights or measures standard or calibrating equipment can demonstrate the traceability of the weights or measures standard or calibrating equipment.

1992, c. 242, § 3.1-969.7; 2007, c. 671;2008, c. 860.

§ 3.2-5707. Certification of service technicians.

A. A person shall not be certified as a service technician unless the service technician is employed by a registered service agency. Every service technician shall obtain certification by the Commissioner before operating in the Commonwealth and shall renew the certification annually. The application for certification as a service technician or renewal shall be made in writing on a form approved by the Commissioner.

B. Each application for certification or renewal thereof shall contain:

1. The full name of the applicant;
2. The name of the service agency employing the applicant;
3. The principal business address of the service agency that employs the service technician;
4. Presentation of valid proof of completion of a course of training related to weights and measures offered by the Commissioner or, in the absence of a training course offered by the Commissioner, a training course approved by the Commissioner. Except as otherwise provided by regulation, proof of completion of a course of training shall be valid for a period of three years. The Commissioner shall not require each application for renewal of a service technician certification to contain a valid proof of completion of a course of training related to weights and measures unless such course is offered by the Commissioner in an electronic format that is available to the applicant online. The Commissioner shall not charge a fee to enroll in the Commissioner's course of training related to weights and measures required for renewal of a service technician certification;
5. The fee required by § 3.2-5708;and
6. A declaration by the applicant that the applicant has the authority to be lawfully employed in the United States.

C. The Commissioner may deny, suspend, or revoke any certification or renewal if the application for certification is incomplete, false, or fraudulent. It shall be a violation of this chapter for a person to submit to the Commissioner an application for certification or renewal that he knows to be false or fraudulent.

1992, c. 242, § 3.1-969.8; 2008, c. 860;2016, c. 168.

§ 3.2-5708. Certification fee.

Each service technician applying for a certification or renewal of certification shall pay annually a certification fee of \$25. All fees collected pursuant to this section shall be deposited in the state treasury and credited to the Weights and Measures Fund established by § 3.2-5628.

1992, c. 242, § 3.1-969.9; 2008, c. 860.

§ 3.2-5709. Service of weights and measures; repair.

A. Any registered service agency or any certified service technician in the employ of the service agency may: (i) place into service, subject to random official inspection, a new or used weight or measure; and (ii) following corrective repair, remove and destroy any rejection tag or condemnation tag and return the weight or measure to service.

B. A service agency or service technician in the employ of the service agency exercising authority under subsection A of this section shall adjust any weight or measure governed by subsection A as closely as practicable to zero error.

1992, c. 242, § 3.1-969.10; 2005, c. [850](#);2007, c. [671](#);2008, c. [860](#).

§ 3.2-5710. Certificate of Conformance.

Any service agency engaged in the sale of any weights or measures shall sell only weights or measures that have received a Certificate of Conformance. Any service agency or service technician engaged in the adjustment, installation, placing in service, recommending for use, repair, or servicing of any weight or measure shall do so in a manner so as to ensure the continued validity of the Certificate of Conformance.

1992, c. 242, § 3.1-969.11; 2008, c. [860](#).

§ 3.2-5711. Service report.

Every service agency shall furnish each service technician in its employ with a supply of report forms entitled "Placed into Service Report" prescribed by the Commissioner. Within five business days after its service technician has placed in or restored to service a weight or measure, the service agency shall provide to the Commissioner a fully executed Placed into Service Report. The service agency shall provide a copy of the fully executed Placed into Service Report to the owner or operator of the weight or measure and shall retain for a period of one year, reckoned from the date of execution, a copy of the fully executed Placed into Service Report, which is subject to inspection by the Commissioner. The Commissioner may accept the Placed into Service Report as sufficient to meet the statutory testing and inspection requirements in § [3.2-](#)

[5609](#).

1992, c. 242, § 3.1-969.12; 2005, c. [850](#);2007, c. [671](#);2008, c. [860](#).

§ 3.2-5712. Denial, suspension, or revocation of registrations and certifications.

A. The Commissioner may deny, suspend, or revoke the registration of any service agency if he determines that: (i) the service agency has violated any provision of this chapter, any provision of Chapter 56 (§ [3.2-5600](#) et seq.), or any regulation adopted under either chapter; or (ii) when, in the service of the service agency, any officer of the service agency or any service technician has been convicted in any appropriate court of violating any provision of this chapter, any provision of Chapter 56, or any regulation adopted under either chapter.

B. The Commissioner may deny, suspend, or revoke the certification of any service technician when the Commissioner determines that: (i) the service technician has violated any provision of this chapter or any regulation adopted pursuant to this chapter; or (ii) the service technician has been convicted in any appropriate court of violating any provision of this chapter, any provision of Chapter 56, or any regulation adopted under either chapter.

C. The Commissioner shall afford reasonable notice of an informal fact finding pursuant to § [2.24019](#) to: (i) any service agency prior to and in connection with the denial, suspension, or revocation of its registration under subsection A; and (ii) any service technician prior to and in connection with the denial, suspension, or revocation of the service technician's certification under subsection B.

1992, c. 242, § 3.1-969.13; 2008, c. [860](#).

§ 3.2-5713. Penalties.

A. Any person violating any provision of this chapter is guilty of a Class 1 misdemeanor, and may, in addition to or in lieu thereof, be assessed a civil penalty, as provided in § 3.2-5714.

B. Nothing in this chapter shall be construed as requiring the Commissioner to report, for the institution of proceedings under this chapter, minor violations of this chapter, whenever the Commissioner believes that the public interest will be adequately served in the circumstances by a suitable written notice of warning.

1992, c. 242, § 3.1-969.14; 2008, c. 860.

§ 3.2-5714. Civil penalties.

A. Any person violating any provision of this chapter or regulations adopted hereunder may be assessed a civil penalty by the Board in an amount not to exceed \$1,000 per violation. In determining the amount of any civil penalty, the Board shall give due consideration to: (i) the history of the person's previous violations; (ii) the seriousness of the violation; and (iii) the demonstrated good faith of the person charged in attempting to achieve compliance with the chapter after notification of the violation.

B. Civil penalties assessed under this section shall be paid into the Weights and Measures Fund as established by § 3.2-5628. The Commissioner shall prescribe procedures for payment of uncontested penalties. The procedure shall include provisions for a person to consent to abatement of the alleged violation and pay a penalty or negotiated sum in lieu of such penalty without admission of civil liability arising from such alleged violation.

C. Final orders may be recorded, enforced, and satisfied as orders or decrees of a circuit court upon certification of such orders by the Commissioner. Such orders may be appealed in accordance with provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

1992, c. 242, § 3.1-969.14; 2008, c. 860.