

VARIANCE PERMIT

A variance permit is a temporary or permanent suspension of a particular rule granted to an owner or operator of a commercial weighing or measuring device. . . . (N.D. Admin. Code § 69-10-01-01)

Operators who apply for a variance from North Dakota Weights and Measures Laws and Rules may receive a temporary variance permit that usually lasts from 12 – 24 months and may include some specific requirements depending on the circumstances.

The specific requirements may include, but are not limited to:

- Soil tests.
- Signed affidavits certifying construction requirements are met.
- Design modifications.
- Additional testing requirements such as every 6 months (once during summer and winter.)
- Scale must maintain acceptance tolerance during the temporary variance permit period.
- Service company test reports must include the “as found” and “as left” readings.
- State of North Dakota Weights and Measures Inspector site visit(s).

Prior to receiving a permanent variance permit, the requirements of the temporary variance must be met. The final step is satisfactorily passing an on-site review by a North Dakota State Weights and Measures Inspector who will review the device, facility, and conduct a test. Failing any step during the process may result in extending the temporary variance permit expiration date or terminating the temporary variance permit making the device non-commercial under North Dakota Laws and Rules.

The Weights and Measures Program in North Dakota is committed to maintaining an environment that promotes equitable transactions between customers and operators.