

INSTRUCTIONS

WHO MUST OBTAIN A PERMIT?

The regulation of weighing and measuring devices and establishments is found in Neb. Rev. Stat. §§89-187 through 89-1,103.

Every person who operates a weighing and measuring establishment in the state of Nebraska shall hold a valid permit from the Nebraska Department of Agriculture. This is a one-time permit which only needs to be updated if there is a change in device location or ownership. If the permit holder has more than one location with commercial weighing and measuring devices, he or she shall have a permit for each location (§89-187.01).

A weighing and measuring establishment means any location with one or more commercial weighing and measuring devices or any operation which employs a weighing and measuring device which is mobile.

Commercial weighing and measuring device means any weighing and measuring device used or employed in commerce in a) establishing the size, quantity, extent, area, or measurement of any commodity sold, offered, or submitted for hire; b) computing any basic charge or payment for services rendered on the basis of weight, measure, or count; or c) establishing any eligibility for any award. A commercial weighing and measuring device shall also include any accessory attached to, or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects or may affect the accuracy of the device.

WHEN TO FILE?

The weighing and measuring establishment permit is due for all existing establishments prior to August 1, 1992. Any establishment beginning after such date shall obtain a permit prior to the use of any commercial weighing and measuring device at such location. Changes should be reported to the Nebraska Department of Agriculture as changes to the information on the application occur.

WHERE TO FILE?

This application and a \$5 application fee are to be mailed to the Nebraska Department of Agriculture, Division of Weights and Measures, P.O. Box 94757, Lincoln, Nebraska 68509.

If you have any questions, please call us at (402) 471-4292.

The Nebraska Department of Agriculture will assess a \$30 insufficient fund check fee for returned checks.

Electronic Check Re-presentation Policy: In the event your check is returned unpaid for insufficient or uncollected funds, we may re-present your check electronically. In the ordinary course of business, your check will not be provided to you with your bank statement, but a copy can be retrieved by contacting your financial institution.

SPECIFIC INSTRUCTIONS

Answer all questions as they relate to your business. For questions not related to your business, write "N/A" or "not applicable" on the appropriate line(s).

Section 1a: If the establishment at the location of the weighing and measuring device has not previously held a permit, indicate that the application is new. If there has been some change to the information on the form, you need only supply that changed information, except that all applicants must complete sections 4 and 9.

Section 1b. Type of Business. Example: Grocery store, ranch, freight company, service station, etc.

Section 2: Enter the federal employer identification number or social security number, which will be entered on your federal income tax return.

Section 3: Self explanatory.

Section 4: Enter the name, address, and phone number of the establishment where the weighing and measuring device is actually located.

Section 5: Enter the name, address, and phone number of the person or entity who owns the business where the device is located. If the information is exactly the same as section 4, enter "same" in this section.

Section 6: If not a sole proprietorship, enter the name, and address, of the owners or officers of the entity listed in section 5. A partnership should identify each partner; a corporation should identify each corporate officer in sections 6a, b, c, and d. If additional space is required, attach a sheet listing the name, address, and phone number of additional partners or corporate officers.

Section 7: Enter the name and address of the person who should be receiving copies of any notices, orders, or correspondence from the Nebraska Department of Agriculture relating to this permit. This person must be eligible to receive notice and respond to any actions taken by the department.

Section 8: Enter the type of ownership under which your business is operated. Sole Proprietorship is a business owned and controlled exclusively by an individual. Partnership includes all types of partnerships, such as general, limited, and joint venture. A corporation includes all types of corporations, such as a "C" corporation, "S" corporation, nonprofit, domestic, and foreign corporations. If your business is owned by an entity that is not listed, please check the "other" box and explain the type of organization under which you are operating.

Section 8a. Legislative Bill 403, 2009, requires the verification of lawful presence in the United States for recipients of public benefits. Public benefits include commercial licenses issued by the government.

Section 9: This application must be signed by the owner, partner, or corporate officer as listed in sections 5 or 6 above.