

**Indiana Department of Health  
410 IAC 12-2 State Metrology Lab Fees  
LSA Document #23-798**

**Readoption Review**

**I. Continued Need for the Rule**

Yes, there is a continued need for this rule. The rule is necessary to provide funding for the operation of the IDOH Division of Weights and Measures, Metrology Laboratory. The laboratory provides essential services to business and industry in Indiana in accordance with IC 24-6-3-2 (c). The fees for these services are authorized by IC 16-19-5-1(b)(5).

There have been no complaints or comments received from the public concerning the implementation of this rule. The only comments received are regarding how low the fees are for our calibration services.

This rule applies to the calibration of field standards used by service companies to adjust weighing and measuring devices for buying and selling in the marketplace. This rule does not increase expenses to persons who pay taxes or pay fees for services under this rule.

It is reasonable for consumers to expect fair and accurate weights and measures in the marketplace. These weights and measures can only be verified by properly calibrated field standards. Proper standards reduce the overall cost to the public by helping to protect the buyer and the seller from incorrect values.

IDOH Division of Weights and Measures is obligated to test or calibrate weights, measures, weighing, or measuring devices and instruments or apparatus used as standards in Indiana, per IC 24-6-3-2(c). Fees charged for these services are authorized by IC 16-19-5-1.

This rule does not overlap, duplicate or conflict with other federal, state or local laws, rules or ordinances. There are no federal or local laws or ordinances regarding fees for metrology services.

This rule is simple to comprehend and IDOH has not received complaints about enforcement of the rule.

The terms of the rule are discussed with customers in advance of calibrations. After calibrations, an invoice is issued itemizing the services provided. Payments may be made directly to IDOH or via Access Indiana online payment system. Reminders are infrequent and in-person collections have never been required.

Without this rule, all expenses of maintaining our metrology laboratory would fall upon taxpayers supporting the general fund, while service companies would receive free services that enable them to generate more of their own income.

## **II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6**

IDOH Division of Weights and Measures is obligated to provide services per IC 24-6. IDOH is authorized to charge fees for services provided under IC 16-19-5, which also prohibits IDOH from charging more in fees than the cost of services provided.

## **III. Complaints and Comments**

IDOH has not received any complaints about this rule. On the contrary, many of our customers comment that we should be charging higher fees to cover the expense of our services. It is common knowledge that our current fee scale is well below that of other recognized metrology labs across the nation and in neighboring states.

## **IV. Difficulties Encountered**

This rule is simple to comprehend and implement. No difficulties have been encountered from this rule.

## **V. Changes in Technology, Economic Conditions, or Other Factors**

IDOH has added an online payment system to facilitate payments via credit cards. There have not been any changes in conditions that would warrant amending this rule.

## **VI. Revised Regulatory Analysis**

There have been no changes to this rule or its regulatory impact since the rule was promulgated in 2000 or since the most recent readoption in 2018.