



State of Wisconsin  
Governor Tony Evers

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**Department of Agriculture, Trade and Consumer Protection**  
Secretary Randy Romanski

**DATE:** July 11, 2024

**TO:** Board of Agriculture, Trade and Consumer Protection

**FROM:** Randy Romanski, Secretary

**SUBJECT: Approval of Statement of Scope Hearing for ATCP 92: Weights and Measures**

**PRESENTED BY:** Hannah E. Brown, Policy Advisor, Division of Trade and Consumer Protection  
Dr. Joe Smith, Director, Bureau of Weights and Measures, Division of Trade and Consumer Protection

**REQUESTED ACTION:**

At the July 11, 2024 Board meeting, the Department will request approval to hold a preliminary public hearing and comment period on the Statement of Scope regarding Wis. Admin. Code ch. ATCP 92 (Weights and Measures).

**SUMMARY:**

On June 26, 2024, the Joint Committee for Review of Administrative Rules (JCRAR) requested DATCP to hold a preliminary public hearing and comment period on Scope Statement SS 068-24, which was published in the *Wisconsin Administrative Register* on June 17, 2024. The Department proposes to hold a preliminary public hearing on SS 068-24 on Wednesday, July 31, 2024, commencing at 10:00 AM.

DATCP proposes to amend Wis. Admin. Code ch. ATCP 92 to include electric vehicle charging station meters as a weights and measures device regardless of how fees are assessed to consumers. Wisconsin Stat. § 98.03 (2) states, "The department may issue rules governing the construction, installation, and use of commercial weights and measures and prescribing tolerances therefor. The specifications, tolerances, and regulations for commercial weighing and measuring devices issued by the national institute of standards and technology shall apply in this state except as modified by such rules or by statute."

The Governor approved the statement of scope (SS 068-24) on June 12, 2024.

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