

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industries

Rule No.: 80-13-1-.05

Rule Title: Adoption of Federal Standards.

 New; x Amend; Repeal; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare? Yes

Is there another less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer John McMillan

Date: 6-15-2012

(DATE FILED)
(STAMP)

APA-2

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
ANIMAL INDUSTRY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule No. & Title: 80-13-1-.05 Adoption of Federal Standards.

Intended Action: To amend rule.

Substance of Proposed Action: This proposed rule will officially adopt to standards of NIST Handbook No. 130 and requires that approach ramps to new scales are constructed of concrete.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on Tuesday, August 14, 2012 at 10:00 a.m., in the Auditorium of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: August 14, 2012.

Contact Person at Agency: Patrick B. Moody, Legal Counsel and, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. (334)240-7117.

6 -15 -2012
Date

John McMillan
John McMillan
Commissioner of Agriculture
and Industries

80-13-1-.05 Adoption Of Federal Standards.

Under the provisions of Code of Ala. 1975, §8-16-17, the National Institute of Standards and Technology Handbooks ~~Bureau of Standards Handbook~~ No. 44 and No.130 and all amendments and supplements thereto ~~is~~ are adopted as the official standards for Alabama. Any portion of said Handbooks No.44 and No.130 ~~its~~ the supplements and amendments thereto in conflict with Alabama statutes or regulations shall ~~he~~ be disregarded and not made a part of this regulation.

In addition to Handbook No.44 Section 2.20 UR.2.6.1 (a), (b), and (c), scales installed in any one location shall have not less than 3 meters (10feet) of any approach adjacent to the platform constructed of concrete to ensure that this portion remains smooth and level and in the same plane as the platform; however, steel grating of sufficient strength to withstand all loads equal to the concentrated load capacity of the scale may be installed in this portion. Any slope in the remaining portion of the approach referred to in(c)above shall be no more than ½ inch per foot and be constructed of concrete.

Chapter Author: Charles H. Barnes, Patrick B. Moody

Statutory Authority: Code of Ala. 1975, §8-16-15.

History: Filed: April 19, 1982.**Amended:**