

**Note:** New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting [www.nyc.gov/consumers](http://www.nyc.gov/consumers). For convenience, sections of relevant New York State Law and/or New York City Law and Rules are included as a handout in this packet. The New York City Law and Rules are current as of January 2009.

Please note that businesses are responsible for knowing and complying with the most current laws, including any City Council amendments. The Department of Consumer Affairs (DCA) is not responsible for errors or omissions in the handout provided in this packet. The information is not legal advice. You can only obtain legal advice from a lawyer.

**NEW YORK CITY ADMINISTRATIVE CODE**  
**TITLE 20: CONSUMER AFFAIRS**  
**CHAPTER 4: REGULATION OF COMMODITIES AND SERVICES**  
**SUBCHAPTER 1: DEALERS IN SECOND-HAND WEIGHING OR MEASURING DEVICES**

§ 20–601 **License required.** It shall be unlawful for any person to engage in or conduct the business of dealing in, trading in, selling, receiving or repairing condemned, rebuilt or used weighing or measuring devices without a permit therefor.

§ 20–602 **Application for permit.** a. Any person before engaging in such business shall file a written application with the commissioner for such permit, stating in such application the location of the place in which such business is to be conducted.

- b. Such application shall be in the form prescribed by such commissioner.
- c. Such permit shall be granted only to a person of the age of eighteen years or over.

§ 20–603 **Permit; fee.** a. After the filing of such an application, and investigation thereof duly made, the commissioner, if he or she approves of such application, may issue a permit conditioned upon compliance with the provisions of this subchapter and with the rules and regulations of any city agency applicable to such permittee.

b. The fee for such permit for a year, or any portion thereof, shall be sixty dollars, and shall be payable upon the filing of such application.

c. Such permit shall expire on the twenty-eighth day of February next succeeding the date of issuance thereof.

§ 20–604 **Notice as to repaired devices.** Every person engaged in the business of dealing in, trading in, selling, receiving or repairing condemned, rebuilt or used weighing or measuring devices, within five days after the making of a repair, or the sale and delivery of a repaired, rebuilt, or used weighing or measuring device, shall serve notice in writing on the commissioner giving the name and address of the person for whom

such repair has been made, or to whom a repaired, rebuilt or used weighing or measuring device has been sold or delivered, and shall include a statement that such device has been so altered, rebuilt or repaired as to conform to the standard specifications and regulations of such department.

§ 20–605 **Condemned devices; return of tags.** Any person who accepts weighing or measuring devices in trade for others shall remove the condemned tags from those devices which have been condemned by the department and which are intended for dismantling or destruction. Such tags shall be returned to the department within five days thereafter, with a statement describing the weighing or measuring device, giving the name and address of the person from whom it was received, and a statement to the effect that it has been dismantled or destroyed.

§ 20–606 **Records.** a. Every person duly registered pursuant to the provisions of this subchapter shall maintain a book or register in which the following information shall be kept:

1. The name and address of every person for whom weighing or measuring devices are repaired;

2. The name and address of every person to whom a repaired, rebuilt, or used weighing or measuring device has been sold or delivered.

b. Such books shall be open for inspection at all reasonable times to any police officer, inspector or person duly authorized by the commissioner, or by any judge of the criminal court of the city of New York.

§ 20–607 **Comparison of testing equipment.** All persons dealing in, trading in, selling, receiving or repairing condemned, rebuilt or used weighing or measuring devices, shall submit their testing equipment at least once a year, to the testing station of the department for comparison and calibration with the prime standards maintained by such department, after which the department shall issue to such person a statement or certificate of its findings.

§ 20–608 **Violations.** Any person violating any of the provisions of this subchapter, upon conviction thereof, shall be fined a sum of not more than one hundred dollars for each offense, or by imprisonment not exceeding ten days, or by both, and, in the discretion of the commissioner, shall be liable to have his or her permit suspended, revoked or cancelled.

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**RULES OF THE CITY OF NEW YORK**  
**TITLE 6: DEPARTMENT OF CONSUMER AFFAIRS**  
**CHAPTER 4: MARKET REGULATIONS**  
**SUBCHAPTER A: REPAIRS OF SECOND-HAND WEIGHING OR MEASURING DEVICES**

**§4-01 Removal of New York City Security Seal.**

Immediately upon the completion of any repairs, or replacement or servicing of any component parts thereof, the licensed repairman shall replace the New York City security seal affixed to a weighing or measuring device.

**§4-02 Repairman's Security Seal.**

The licensed repairman shall replace the New York City security seal with a security seal, bearing the name or initials of the licensed repairman (company) and his or its license number. Said security seal shall have such information clearly and legibly imprinted on each side of the security seal on the sides visible to any interested person.

**§4-03 Use of Initials, Abbreviations, Trademarks and Logos.**

Any licensed repairman who elects to use initials, abbreviations, trademarks or logos in lieu of his or its full company name, may only do so by first notifying the Commissioner, in writing, in duplicate, of its intention to do so. Said notification must contain an exact replica of the initials, abbreviations, trademark or logo desired. If approved by the Commissioner, one copy of said notification will be returned by the Commissioner to the licensed repairman. The license number must be used in conjunction with said initials, abbreviation, trademark or logo.

**§4-04 Employees' Identification Number or Letter.**

Each licensed repairman (company) shall, if he or it employs more than one repairman or serviceman, assign an identification number or letter to each such individual. Said identification number or letter must also be imprinted upon the security seal in addition to the information required in §4-02 above.

**§4-05 New Repairmen and Servicemen.**

Each licensed repairman (company) shall notify the Commissioner, in writing, in duplicate, within three (3) business days of the employment of a new repairman or serviceman, and of the number or letter assigned to said employee. The Commissioner shall acknowledge receipt of said notification by return of the duplicate copy to the licensed repairman. Said receipted copies shall be retained by the licensed repairman for a period of two (2) years.

**§4-06 Cumulative List of Employees.**

Upon the renewal of the license each year, each licensed repairman (company) shall file a cumulative list of repairmen or servicemen, including their assigned identification numbers or letters. Said list shall include all repairmen or servicemen then employed or employed during the license period then terminating, indicating those currently employed and those no longer employed.