Mississippi Secretary of State  
700 North Street P.O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

<table>
<thead>
<tr>
<th>AGENCY NAME</th>
<th>CONTACT PERSON</th>
<th>TELEPHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi Department of Agriculture &amp; Commerce</td>
<td>Ricky G. Luke</td>
<td>(601)359-1154</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.O. Box 1609</td>
<td>Jackson</td>
<td>MS</td>
<td>39215</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EMAIL</th>
<th>SUBMIT DATE</th>
<th>Name or number of rule(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:ricky@mdac.ms.gov">ricky@mdac.ms.gov</a></td>
<td>4/13/2020</td>
<td>Title 2, Part 1 MDAC Rules, Subpart 4, Chapter 9, Section 118.01 [NEW] of the Weights and Measures Regulations</td>
</tr>
</tbody>
</table>

Due to the continuing escalation in the number of cases of COVID-19 and the emergency orders and guidance issued at the local, state and federal level mandating social distancing among the public and limiting travel for only essential matters, the Department issues this temporary rule to provide a twenty-four (24) month, inspection and approval for "Weights and Measures" as that phrase is defined in Section 75-27-3(2) of the Mississippi Code. The Temporary Rule applies only to Weights and Measures that would have otherwise been due for inspection and approval during the period of March 13, 2020 through June 30, 2020. The reasoning for this waiver is to alleviate the requirement during the pendency of emergency conditions that inspectors and scale technicians travel and engage in activities which could result in exposure of further transmission of COVID-19. This rule will reduce exposure of the public and Department employees in a manner consistent with local, state and federal guidance and directives.


List all rules repealed, amended, or suspended by the proposed rule: Section 118.01.

**ORAL PROCEEDING:**

☐ An oral proceeding is scheduled for this rule on Date: _______ Time: _______ Place: _______

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

**TEMPORARY RULES**

☐ Original filing
☐ Renewal of effectiveness

To be in effect in _______ days

Effective date: ____________

☐ Immediately upon filing
☐ Other (specify): ________

**PROPOSED ACTION ON RULES**

Action proposed:

☐ New rule(s)
☐ Amendment to existing rule(s)
☐ Repeal of existing rule(s)
☐ Adoption by reference

Proposed final effective date:

☐ 30 days after filing
☐ Other (specify): ________

**FINAL ACTION ON RULES**

Date Proposed Rule Filed: ________

Action taken:

☐ Adopted with no changes in text
☐ Adopted with changes
☐ Adopted by reference
☐ Withdrawn

☐ Repeal adopted as proposed

Effective date:

☐ 30 days after filing
☐ Other (specify): ________

Printed name and Title of person authorized to file rules: Andy Gipson, Commissioner

Signature of person authorized to file rules: ________

**OFFICIAL FILING STAMP**

DO NOT WRITE BELOW THIS LINE

OFFICIAL FILING STAMP

Accepted for filing by ________

Accepted for filing by ________

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.
Subpart 4-Bureau of Regulatory Services
Chapter 09-Weights and Measures Regulations

Temporary Rule Setting Schedule for Inspection of Certain Weights and Measures.

118.01 Pursuant to the authority granted in Section 75-27-23 of the Mississippi Code Annotated, the Commissioner hereby sets the following temporary schedule with regard to certain “Weights and “Measures” as defined in Section 75-27-3(2) of the Mississippi Code Annotated. The inspection period for all Weights and Measures which were due for inspection and testing by the Department between March 13, 2020 and June 30, 2020 shall be extended from a twelve month period to a one-time, twenty-four-month inspection period. This paragraph shall stand repealed July 1, 2020.
(Temporal Rule April 13, 2020.)


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