

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

September 9, 1977

The Honorable James Wilfong  
Route 113  
No. Fryeburg, Maine 04053

Dear Representative Wilfong:

In response to your questions of August 30 regarding retail and wholesale sales of internal combustion fuels other than from a metered pump:

The sale of any liquid commodity from bulk, including both retail and wholesale sales of fuel, must be a measured sale. The standard of measure must be one adopted by the National Conference of Weights and Measures and published in the National Bureau of Standards Handbook 44. (10 M.R.S. §2353, §2623, and §2624)

Handbook 44 permits two methods of measurement of liquids from tank storage. The first is by meter, either gravity or powered. The other is by calibrated measurement of the storage tank itself.

A dip stick is not a standard of measure adopted by Handbook 44, as is, therefore, not legal measurement under Maine law for use in the sale of internal combustion fuel from bulk.

Yours truly,

*Joseph E. Brennan*  
JOSEPH E. BRENNAN  
Attorney General

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