

# MAINE STATE LEGISLATURE

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Wood Fuel Delivered Receipts  
10 M.R.S.A. § 2624

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DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

November 3, 1977

Honorable Richard Davies  
53 North Main Street  
Orono, Maine 04473

Dear Representative Davies:

This responds to your request for advice on the question of whether the provisions of 10 M.R.S.A. § 2624 relating to bulk deliveries of heating oil apply to deliveries of wood intended to be used for heating.

Section 2624 is part of 10 M.R.S.A. Chapter 501. That Chapter clearly contemplated application to wood as a cord of wood - a standard unit of wood measurement - is defined in 10 M.R.S.A. § 2302-1 and subchapter II-A generally discusses measurement of wood. Accordingly, it would be our view that the provisions of 10 M.R.S.A. § 2624 would apply to sales of wood where the quantity of wood delivered is determined by the seller.

We must note, however, that there is some question as to the extent to which this section would apply to sales of wood in actual practice. It is our understanding that generally sales of wood are ordered in amounts specified by the buyer (e.g., a cord or some other unit of measure). This is unlike fuel oil deliveries where the oil is usually delivered at times and in amounts selected by the seller. An analogous situation would occur if a wood dealer undertook to refill a woodbin for a particular buyer. However, such practice does not appear to be very widespread in the sale and delivery of wood for use as heating fuel.

I hope this information is helpful.

Very truly yours,

  
DONALD G. ALEXANDER  
Deputy Attorney General

DGA:jg