

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2196

H.P. 1558

House of Representatives, January 23, 1992

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.

Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PINES of Limestone.  
Cosponsored by Representative SPEAR of Nobleboro.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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An Act to Strengthen the Maine Weights and Measures Law.

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Be it enacted by the People of the State of Maine as follows:

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4       **Sec. 1. 10 MRSA §2402, sub-§17**, as enacted by PL 1973, c. 91, §5, is amended to read:

6       **17. Standards to enforcement.** Prescribe the standards of weight and measure and, additional equipment, and methods of test and inspection to be employed in the enforcement of this chapter. The state sealer may prescribe or provide, or both, the official test and inspection forms to be used in the enforcement of this chapter; and

12       **Sec. 2. 10 MRSA §2402, sub-§18** is enacted to read:

14       **18. Registration of commercial motor fuel dispensers.**  
16       Accept applications for the registration of motor fuel dispensers in accordance with section 2412.

18       **Sec. 3. 10 MRSA §2412** is enacted to read:

20       **§2412. Registered motor fuel dispensers**

22       **1. Exemption for registered motor fuel dispenser.** Any person wishing to register a commercial motor fuel dispenser shall submit a completed application to the state sealer, on forms provided for that purpose, accompanied by a fee of \$5 per dispensing nozzle. The application must be accompanied by the certificate of a local sealer for the municipality in which the fuel dispenser is located or a licensed repairer certifying that the fuel dispenser has been tested and found to be accurate within standards established for fuel dispensers. Upon receipt of a completed application, fee and certification, the state sealer shall issue to the applicant a statement of registration. This registration is valid for a period of one year. Any motor fuel dispenser that is registered under this section is exempt from the imposition of any fee established under authority of this chapter for the periodic testing and sealing of fuel dispensers by the state sealer or a local sealer.

40       **2. Fees.** Fees collected under this section must be maintained in a separate account that may not lapse. Local sealers submitting certificates under subsection 1 must be paid from this fund the amount of \$5 per fuel dispenser nozzle covered by the certificate.

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## STATEMENT OF FACT

4 At present, a municipality may designate a local sealer who  
6 has been approved by the Department of Agriculture, Food and  
8 Rural Resources to inspect and seal gas pumps and simple, small  
10 scales; however, many municipalities have no local sealer. State  
12 inspectors must inspect and seal in these areas and this takes an  
14 inordinate amount of time from the State's weights and measures  
16 staff, particularly with respect to gas pumps. This bill  
establishes an annual registration fee of \$5 per gas pump nozzle  
and creates a requirement that the registrant obtain periodic  
inspections from a licensed repairer or local sealer approved by  
the Department of Agriculture, Food and Rural Resources. The  
licensed repairer or local sealer would file a certificate of  
compliance with the Department of Agriculture, Food and Rural  
Resources after successful inspection and sealing of the pump.