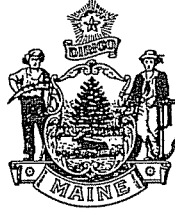


MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



STATE LAW LIBRARY
AUGUSTA, MAINE

124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 420

H.P. 308

House of Representatives, February 10, 2009

**An Act To Amend Certain Laws Related to the Department of
Agriculture, Food and Rural Resources, Division of Quality
Assurance and Regulation**

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARTIN of Orono.
Cosponsored by Representatives: AUSTIN of Gray, CLEARY of Houlton, HUNT of Buxton,
SMITH of Monmouth, Senator: RECTOR of Knox.

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

2 **Sec. 1. 10 MRSA §2623, sub-§1**, as enacted by PL 2001, c. 491, §1, is amended
3 to read:

4 **1. Sales of commodities.** Except as otherwise provided by the State Sealer, sales of
5 commodities must comply with the following:

6 A. Commodities in liquid form must be sold by liquid measure or by weight;

7 B. Commodities not in liquid form must be sold only by weight, by measure or by
8 count; ~~and~~

9 C. A seller selling commodities in liquid form and using temperature compensators
10 ~~must~~ shall have the seller's entire fleet of vehicles equipped with temperature
11 compensators or have prior approval by the State Sealer for regional use of
12 temperature compensators; and ~~must~~ shall provide accurate and adequate quantity
13 information that permits the buyer to make price and quantity comparisons. Such
14 equipment must be sealed and in use throughout the year;

15 D. Beginning January 1, 2010 all new delivery vehicles intended for the retail sale of
16 refined petroleum products in the State must be equipped with automatic temperature
17 compensating meters. A seller selling refined petroleum products and using
18 temperature compensators shall have the seller's entire fleet of vehicles equipped with
19 temperature compensators; and

20 E. Beginning January 1, 2015 all delivery vehicles intended for the retail sale of
21 refined petroleum products in the State must be equipped with automatic temperature
22 compensating meters. A seller selling refined petroleum products and using
23 temperature compensators shall have the seller's entire fleet of vehicles equipped with
24 temperature compensators, and they must be operational.

25 **Sec. 2. 10 MRSA §2627**, as enacted by PL 1973, c. 91, §10, is amended by
26 inserting at the end a new paragraph to read:

27 Whenever an item is advertised for sale, there must be a declaration of the price of
28 the item either on each individual item, on the shelf where the item is located or on a
29 placard or sign immediately adjacent to the item.

30 **Sec. 3. 10 MRSA §2631** is enacted to read:

31 **§2631. Conformity to national engine fuels and automotive lubricants regulations**

32 The engine fuel and automotive lubricants requirements, as adopted by the National
33 Conference on Weights and Measures and published in the National Institute of Standards
34 and Technology uniform regulation "Uniform Engine Fuels and Automotive Lubricants
35 Regulation," apply to any internal combustion engine fuels, lubricating oils or other
36 similar products stored, sold, distributed, transported, exposed for sale or offered for sale,
37 distribution or transportation in the State, except as specifically modified, amended or
38 rejected by a regulation issued by the state sealer.

1

SUMMARY

2 This bill amends laws related to quality assurance and regulations administered by
3 the Department of Agriculture, Food and Rural Resources.

4 1. The bill phases in the requirement for automatic temperature compensating meters
5 on vehicles making retail deliveries of petroleum products.

6 2. The bill requires that whenever an item is advertised for retail sale a declaration of
7 the price must be either on each item, on the shelf on which the item is located or on a
8 placard placed adjacent to the item.

9 3. The bill adopts nationally recognized standards and specifications for engine fuels,
10 petroleum products and lubricants.