
By: Chairman, Environmental Matters Committee (Departmental - Agriculture)

Introduced and read first time: January 18, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Agriculture - Weights and Measures - Fees**

3 FOR the purpose of altering the basis of certain fees for which the Secretary of
4 Agriculture charges for providing certain technical services and evaluation under a
5 voluntary program to test weights and measures; and generally relating to the
6 performance testing of weights and measures.

7 BY repealing and reenacting, with amendments,
8 Article - Agriculture
9 Section 11-204.1
10 Annotated Code of Maryland
11 (1985 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Agriculture**

15 11-204.1.

16 (a) The Secretary may establish a program to test any weight and measure to
17 determine if it conforms to the requirements of the National Conference on Weights and
18 Measures.

19 (b) The Secretary may:

20 (1) Issue a certificate of approval to any person for a weight and measure
21 that meets the requirements of this section;

22 (2) Deny or revoke a certificate of approval if the Secretary determines that:

23 (i) A person has provided false or misleading information to the
24 Secretary about any weight and measure; or

25 (ii) The weight and measure does not conform to the requirements of
26 this section; and

27 (3) Charge the appropriate fee established under subsection (e) of this
28 section in order to cover the cost of inspecting or testing any weight and measure as
29 provided by this section.

2

1 (c) There is a Weight and Measure Testing Fund within the Maryland
2 Department of Agriculture. The Fund is a special fund established for the purpose of
3 paying the expenses incurred in testing and approving any weight and measure as
4 provided under this section. Unspent portions of the Fund shall revert to the General
5 Fund of the State.

6 (d) Unless issued a certificate of approval from the Secretary, a person may not
7 represent any weight and measure as approved under this section.

8 (e) (1) The Secretary shall [charge the following] ESTABLISH BY
9 REGULATION fees for services performed under this section to provide type evaluation
10 and other testing, and for the use of laboratory equipment, special prototype test
11 equipment, and vehicles[:

12 (1) Technical services and evaluations.....\$45 per hour;

13 (2) Environmental chamber services.....\$250 per device;

14 (3) Endurance testing (included in type evaluation)....\$125 per
device;

15 (4) Vapor or slow meter standards.....\$50 per device;

16 (5) Trailer-mounted provers, 200 gallon capacity....\$50 per day

17 plus \$0.35 per mile;

18 (6) Trailer-mounted provers, 1480 gallon capacity....\$125 per d
ay

19 plus \$0.45 per mile;

20 (7) Farm milk tank test unit.....\$100 per day

21 plus \$0.50 per mile;

22 (8) Large scale test unit.....\$200 per day

23 plus \$1.25 per mile;

24 (9) Van or sedan.....\$0.35 per mile;

25 (10) 1-ton truck.....\$0.45 per mile; and

26 (11) Travel costs....full reimbursement from Annapolis, Marylan
d].

27 (2) IN ESTABLISHING FEES UNDER THIS SECTION, THE SECRETARY
28 SHALL CONSIDER THE CURRENT RATES CHARGED BY OTHER PARTICIPATING
29 LABORATORIES THAT PROVIDE SERVICES TO THE NATIONAL TYPE EVALUATION
30 PROGRAM.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1996.