

**Department of Legislative Services**  
 Maryland General Assembly  
 2001 Session

**FISCAL NOTE**

House Bill 206 (Chairman, Environmental Matters Committee)  
 (Departmental - Agriculture)

Environmental Matters

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

This departmental bill removes the maximum fee restrictions for registering specified weights and measures used commercially in the State. Specifically, the bill removes the maximum fee per location for registering scales with a capacity of up to 100 pounds and for retail motor fuel dispenser meters of under 20 gallons per minute.

**Fiscal Summary**

**State Effect:** Special fund revenue increase of approximately \$183,300 annually beginning in FY 2002 as a result of removing the maximum annual registration fee per location for small scales and retail motor fuel dispenser meters. The Governor's proposed FY 2002 budget assumes these anticipated increases in special fund revenues in the Weights and Measures Fund.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
SF Revenue	\$183,300	\$183,300	\$183,300	\$183,300	\$183,300
SF Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	\$183,300	\$183,300	\$183,300	\$183,300	\$183,300

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Agriculture (MDA) has determined that this bill will have minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

## Analysis

**Current Law:** The annual registration fee for scales with a capacity of up to 100 pounds is \$14, with a maximum fee per location of \$175. The fee for retail motor fuel dispenser meters of under 20 gallons per minute is \$15, with a maximum fee per location of \$275.

**Background:** The Weights and Measures Section of MDA inspects and certifies the accuracy of measuring and weighing devices in the State to ensure that fairness and equity persist in all commercial transactions involving determination of quantity. In 1992, when the State was faced with a revenue shortage, a special fund was established to help defray program operating expenses. Revenue for the fund comes from registration fees paid by the 7,978 locations where weighing and measuring devices are used commercially within the State. Current fees generate approximately \$953,000 annually. The fee for registering weighing and measuring devices has not been increased since the special fund was established. According to MDA, additional revenue is needed to cover rising employee salary and benefit costs.

According to MDA, there are approximately 56,000 small scales and retail motor fuel dispenser meters registered in the State. The current fee caps prevent MDA from collecting registration fees on approximately 12,900 of these devices. This bill will affect an estimated 1,380 locations that currently benefit from the fee caps (291 locations with registered small scales and 1,089 locations with registered retail motor fuel dispenser meters of under 20 gallons per minute).

**State Revenues:** Under current law, the annual fee for registering small scales is \$14 per device up to a maximum of \$175 per location (or 12 scales). The annual fee for retail motor fuel dispenser meters is \$15 per device up to a maximum of \$275 per location (or 18 meters). According to MDA, the current fee caps prevent MDA from collecting full registration fees on approximately 2,132 small scales and 10,732 retail motor fuel dispenser meters that are registered in the State. MDA reports that there are 291 locations with registered small scales and 1,089 locations with registered meters. Because of the structure of the current fee caps, MDA will receive \$7 on the thirteenth scale and \$5 on the nineteenth meter at each location. Accordingly, by removing the maximum fee restrictions, special fund revenues will increase by an estimated \$183,300 annually beginning in fiscal 2002 (2,132 scales x \$14 per scale, less \$7 per location + 10,732 meters x \$15 per meter, less \$5 per location).

All fees from the registration of weights and measures are paid into the Weights and Measures Fund. The Governor's proposed budget for fiscal 2002 assumes the increase in special fund revenue resulting from this bill, but does not make expenditures contingent upon enactment of this bill.

## **Additional Information**

**Prior Introductions:** HB 140 of 2000 would have increased the registration fees for all weights and measures by 10%. HB 220 of 1999 would have removed maximum fee restrictions for registering each retail motor fuel dispenser meter under 20 gallons per minute. Both bills received unfavorable reports from the House Environmental Matters Committee.

**Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture, Department of Legislative Services

**Fiscal Note History:** First Reader – January 30, 2001  
jm/cr

---

Analysis by: Lesley Frymier

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510