

(PRE-FILED)

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

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 15, 2005

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of altering certain registration fees for certain weights and
4 measures; establishing a certain registration fee for a certain weights and
5 measures device; repealing obsolete provisions of law; ~~providing that unspent~~
6 ~~portions of the Weights and Measures Fund up to a certain maximum sum~~
7 ~~remain with the Fund and not be transferred or revert to the State General~~
8 ~~Fund; and generally relating to weights and measures registration fees and the~~
9 ~~Weights and Measures Fund.~~

10 BY repealing and reenacting, with amendments,
11 Article - Agriculture
12 Section ~~11-204.6~~ and 11-204.7
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2004 Supplement)

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

17 **Article - Agriculture**

18 ~~11-204.6.~~

19 (a) (1) ~~There is a "Weights and Measures Fund".~~

1 (2) All fees collected under §§ 11-204.3, 11-204.4, and 11-204.7 of this
2 subtitle shall be credited to the Fund.

3 (3) The Fund shall be used to defray the expenses of administering this
4 title.

5 (b) [The Fund shall be used for the purposes stated in this title and unspent
6 portions of the Fund shall revert to the General Fund of the State.]
7 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY UNSPENT PORTIONS OF
8 THE FUND, UP TO A MAXIMUM OF \$100,000, MAY NOT BE TRANSFERRED OR REVERT
9 TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND TO BE
10 USED FOR THE PURPOSES STATED IN THIS TITLE.

11 11-204.7.

12 [(a) On and after June 1, 1993, the] THE fees for registering each weight and
13 measure used for commercial purposes under this subtitle are as follows:

14 (1) Scales with a capacity of up to 100 pounds (maximum fee per
15 BUSINESS location: [\$175] \$225) [\$14] \$20;

16 (2) Scales with a capacity of more than 100 pounds, up to 2,000
17 pounds [\$40] \$50;

18 (3) Scales with a capacity of more than 2,000 pounds \$75;

19 (4) Belt conveyor scales \$300;

20 (5) Railroad track scales \$300;

21 (6) Vehicle scales [\$150] \$225;

22 (7) Grain moisture meter [\$50] \$100;

23 (8) Retail motor fuel dispenser meter of under 20 gallons per minute
24 (maximum fee per BUSINESS location: \$275) \$15;

25 (9) Retail motor fuel dispenser meter of 20 gallons per minute or
26 more \$35;

27 (10) Bulk petroleum fuel meter of 20 gallons per minute, up to 150 gallons
28 per minute [\$35] \$50;

29 (11) Bulk petroleum fuel meter of 150 gallons per minute or
30 more [\$70] \$100-\$85;

31 [(12) Liquefied petroleum gas meter of 3/4 inch diameter or less \$50;
32 and]

33 [(13)] (12) Liquefied petroleum gas [meter of greater than 3/4 inch
34 diameter] METERS \$75; AND

1 (13) POINT OF SALE SYSTEM, AS DEFINED BY THE NATIONAL INSTITUTE
2 OF STANDARDS AND TECHNOLOGY (NIST) HANDBOOK 44, CONNECTED TO A
3 WEIGHING OR MEASURING DEVICE (PER BUSINESS LOCATION) \$100.

4 [(b) From June 1, 1992 through May 31, 1993, the fees for registering each
5 weight and measure used for commercial purposes under this subtitle shall be 50% of
6 the amount set forth in subsection (a) of this section.]

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2005.