

MARYLAND REGISTER

Proposed Action on Regulations	
Date Filed with AELR Committee June 20, 2025	Date Filed with Division of State Documents
	Document Number 25-144-P
	Date of Publication in MD Register

1. Desired date of publication in Maryland Register: July 11, 2025

2. COMAR Codification

Title	Subtitle	Chapter	Regulation
15	03	08	05

3. Promulgating Authority

Maryland Department of Agriculture

4. Name of Regulations Coordinator

Natalie Watson

Telephone Number

410-841-5829

Mailing Address

50 Harry S. Truman Parkway
Annapolis, Maryland 21401

Email

natalie.watson@maryland.gov

5. Name of Person to Call About this Document

Alison Wilkinson, Chief of Weights and Measures

Telephone Number

410-841-2706

Mailing Address

50 Harry S. Truman Parkway
Annapolis, Maryland 21401

Email

alison.wilkinson@maryland.gov

6. Check applicable items:

- New Regulations
- Amendments to Existing Regulations
- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval

7. Is there Emergency text that is identical to this Proposal:

Yes No

8. Incorporation by Reference

- Incorporation by Reference (IBR) approval form(s) attached and 16 copies of documents proposed for incorporation submitted to DSD. (Submit 16 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Thomas F. Filbert, Assistant Attorney General, telephone #410-841-5895, on June 20, 2025. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Steven A. Connelly

Title

Deputy Secretary

Telephone No.

410-841-5881

Date

June 20, 2025

Title 15

MARYLAND DEPARTMENT OF AGRICULTURE

Subtitle 03 WEIGHTS AND MEASURES

15.03.08 Registration of Commercial Weighing and Measures Devices

Authority: Agriculture Article, §§ 11-203 and 11-204.7, Annotated Code of Maryland

Notice of Proposed Action

[25-144-P]

The Maryland Department of Agriculture proposes to:

amend Regulation .05 under COMAR 15.03.08 Registration of Commercial Weighing and Measuring Devices.

Statement of Purpose

The purpose of this action is to implement new legislation increasing certain fees related to classes of weights and measures.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alison L. Wilkinson, Chief of Weights and Measures, Maryland Department of Agriculture, 50 Harry Truman Parkway, Annapolis, Maryland 21401, or call (410) 841-2706, or email to alison.wilkinson@maryland.gov. Comments will be accepted through August 18, 2025. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: **FY 2026**

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special Fund - The Weights and Measures Fund.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

The amendment to Regulation 15.03.08.05, increasing certain fees related to weights and measures, mirrors the amendment to Agriculture Article § 5-309 set forth in the Budget Reconciliation and Financing Act of 2025. See Ch. 604, Acts of 2025.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

The amendment to Regulation 15.03.08.05, increasing certain fees related to weights and measures, simply implements the same fee increases for these persons set forth in the Budget Reconciliation and Financing Act of 2025. See Ch. 604, Acts of 2025

G. Small Business Worksheet:

1a. Intended Beneficiaries. Who are the intended beneficiaries of the proposed regulation? HOUSEHOLDS AND BUSINESSES BENEFIT FROM THE PROPOSED ACTION BECAUSE ITS MODEST ADJUSTMENT IN FEES – WHICH MIRROR THE MODEST ADJUSTMENT IN FEES CALLED-FOR IN RECENTLY ENACTED LEGISLATION – WILL ASSIST MDA IN CONTINUING ITS STATUTORY MISSION PERTAINING TO THE REGULATION OF COMMERCIAL WEIGHING AND MEASURING DEVICES. SEE BUDGET RECONCILIATION AND FINANCING ACT OF 2025. Are these intended beneficiaries primarily households or businesses?

1b. Intended Beneficiaries: Households. If households are the primary intended beneficiaries, will the proposal affect their income or purchasing power such that the volume or patterns of their consumer spending will change? THE PROPOSAL WILL NOT AFFECT HOUSEHOLD PURCHASING POWER SUCH THAT THE VOLUME AND PATTERNS OF THEIR CONSUMER SPENDING CHANGES. If so, what directions of change would you anticipate? Will these expected spending changes have a disproportionate impact on small businesses? Can you descriptively identify the industries or types of

business activities that are impacted? BUSINESSES THAT UTILIZE COMMERCIAL WEIGHING AND MEASURING DEVICES.

1c. Intended Beneficiaries: Businesses. If businesses are the intended beneficiaries, identify the businesses by industry or by types of business activities. BUSINESSES THAT UTILIZE COMMERCIAL WEIGHING AND MEASURING DEVICES.

How will businesses be impacted? Are these Maryland establishments disproportionately small businesses? THESE PERSONS WILL BE SUBJECT TO A MODEST FEE INCREASE AS CALLED-FOR IN RECENT ENACTED LEGISLATION. If so, how will these Maryland small businesses be affected? THEY WILL BE SUBJECT TO A MODES FEE INCREASE. Can you identify or estimate the present number of small businesses affected? Can you estimate the present total payroll or total employment of small businesses affected?

2a. Other Direct or Indirect Impacts: Adverse. Businesses may not be the intended beneficiaries of the proposal. Instead, the proposal may direct or otherwise cause businesses to incur additional expenses of doing business in Maryland. Does this proposal require Maryland businesses to respond in such a fashion that they will incur additional work-time costs or monetary costs in order to comply? BUSINESSES WILL NOT BE REQUIRED TO RESPOND TO THE FEE ADJUSTMENT IN SUCH A FASHION THAT THEY WILL INCUR ADDITIONAL WORK-TIME COSTS OR MONETARY COSTS IN ORDER TO COMPLY. Describe how Maryland establishments may be adversely affected. THEY WILL NOT BE ADVERSELY AFFECTED. THE FEE INCREASES IN THE PROPOSED ACTION MIRROR THE INCREASES SET FORTH IN RECENTLY ENACTED LEGISLATION. Will Maryland small businesses bear a disproportionate financial burden or suffer consequences that affect their ability to compete? NO. Can you estimate the possible number of Maryland small businesses adversely affected? (Note that small business compliance costs in the area of regulation are the sum of out-of-pocket (cash) costs plus time costs — usually expressed as payroll, akin to calculations for legislative fiscal notes. Precise compliance costs may be difficult to estimate, but the general nature of procedures that businesses must accomplish to comply can be described.)

2b. Other Direct or Indirect Impacts: Positive. Maryland businesses may positively benefit by means other than or in addition to changed consumer spending patterns. How may Maryland businesses be positively impacted by this initiative? THE MODEST FEE INCREASES IN THE PROPOSED ACTION – WHICH MIRROR THE FEE INCREASES CALLED-FOR IN RECENTLY ENACTED LEGISLATION – WILL ASSIST MDA IN CONTINUING ITS STATUTORY MISSION PERTAINING TO THE REGULATION OF COMMERCIAL WEIGHING AND MEASURING DEVICES. Will Maryland small businesses share proportionately or disproportionately in these gains? YES. Can you estimate the possible number of Maryland small businesses positively affected?

3. Long-Term Impacts. There are instances where the longer run economic impact effect from regulations differ significantly from immediate impact. For example, regulations may impose immediate burdens on Maryland small businesses to comply, but the overall restructuring of the industry as a consequence of monitoring and compliance may provide offsetting benefits to the affected small businesses in subsequent years. Can you identify any long run economic impact effects on Maryland small businesses that over time (a) may compound or further aggravate the initial

economic impact described above, or (b) may mitigate or offset the initial economic impact described above? THE MODEST FEE INCREASES IN THE PROPOSED ACTION – WHICH MIRROR THE FEE INCREASES CALLED-FOR IN RECENTLY ENACTED LEGISLATION – WILL NOT RESULT IN ANY SUCH LONG RUN ECONOMIC IMPACT EFFECTS ON MARYLAND SMALL BUSINESSES.

4. **Estimates of Economic Impact.** State Government Article, §2-1505.2 requires that an agency include estimates, as appropriate, directly relating to: (1) cost of providing goods and services; (2) effect on the work force; (3) effect on the cost of housing; (4) efficiency in production and marketing; (5) capital investment, taxation, competition, and economic development; and (6) consumer choice. THE MODEST FEE INCREASES IN THE PROPOSED ACTION – WHICH MIRROR THE FEE INCREASES CALLED-FOR IN RECENTLY ENACTED LEGISLATION – WILL HAVE NO IMPACT ON ANY OF THE SIX AFOREMENTIONED ITEMS.

Title 15 MARYLAND DEPARTMENT OF AGRICULTURE

Subtitle 03 Weights and Measures

Chapter 08 Registration of Commercial Weighing and Measuring Devices

Authority: Agriculture Article, §11-204.7, Annotated Code of Maryland

.05 Fees for Classes of Weights and Measures

The Department's fees for registering each class of weight and measure used for commercial purposes under this subtitle are as follows:

- A. Scale with a capacity of up to 100 pounds [(maximum fee per location \$175.00) — \$14] \$25; *for each scale, plus \$75 for each business location;*
- B. Scale with a capacity of more than 100 pounds, up to 2,000 pounds — \$[40] 100;
- C. Scale with a capacity of more than 2,000 pounds — \$[75] 125;
- D. Belt conveyor scale — \$[300] 350;
- E. Railroad track scale — \$[300] 350;
- F. Vehicle scale — \$[150] 350;
- G. Grain moisture meter — \$[50]; 150;
- H. Retail motor fuel dispenser meter of under 20 gallons per minute [(maximum fee per location: \$275) — \$15] - \$20 each *for each meter, plus \$75.00 per business location;*
- I. Retail motor fuel dispenser meter of 20 gallons per minute or more — \$[35] 65;
- J. Retail DEF dispensers - \$20 per meter;
- K. Bulk petroleum fuel *vehicle mounted meter* of 20 gallons per minute *or more* [up to 150 gallons per minute — \$35] \$100;
- L. Bulk petroleum fuel meter stationary [over 150 gallons per minute — \$70] \$100;
- M. Liquefied petroleum meter of 3/4 inch diameter or less — \$[50] 100;
- N. Liquefied petroleum gas meter [of greater than] 3/4 inch – 2 inch diameter — \$[75] 125;
- O. Liquefied petroleum gas meters greater than 2 inch diameter - \$150;
- P. Point of sale system, as defined by the National Institute of Standards and Technology (NIST) Handbook 44, connected to a weighing or measuring device (per business location) - \$125.00;
- Q. Electrical Vehicle Service Equipment - \$150 per port;
- R. Mass Flow Meters - \$330 per meter;
- S. Device registration fee 30 days or more delinquent - \$125.00 per account;