

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—[Weights and Measures] Weights, Measures and Consumer Protection
Chapter 30—Petroleum Inspection

PROPOSED AMENDMENT

2 CSR 90-30.080 Measuring Devices. The director is deleting section 8-15, and 17-18 and renumbering remaining sections and making non-substantial changes to the division name.

PURPOSE: This amendment removes sections which are obsolete or redundant of NIST Handbook 44, NFPA 30 & 30-A or NEC 70 and non-substantial changes to division name.

[(8) Each retail measuring device shall display unit price and product identity on the face of the device as required in 2 CSR 90-30.040 and the current edition of NIST Handbook 44.

(9) A container or storage shall be provided by the owner or operator of the device for storage of the fuel dispensed during the device test. The container or storage must comply with the requirements of NFPA Manual No. 30, 1996 Edition which is incorporated herein by reference.

(10) Each measuring device dispensing products regulated by Chapter 414, RSMo shall be free of leaks; the dispensing hose shall be in a condition as to prevent a hazard of leaking or bursting; and electrical wiring shall meet requirements as contained in NFPA Manual No. 70, 1996 Edition which is incorporated herein by reference.

(11) Each measuring device shall be equipped with an effective vapor eliminator or other means automatic in operation to prevent the passage of vapor and air through the meter. Vent lines from the air or vapor eliminator shall be made of metal or some similar other suitable rigid material.

(12) Size of Nozzle Spout for Dispensing Motor Fuels. Each dispensing device from which gasoline or other motor fuel that contains lead or phosphorus is sold shall be equipped with a nozzle spout having a terminal end with an outside diameter of not less than ninety-three hundredths inch (0.93") (two and three hundred sixty-two thousandths centimeters (2.362 cm)). A gasoline or other motor fuel is considered to contain lead or phosphorus if it contains more than five hundredths (0.05) grams lead per United States gallon (thirteen thousandths (0.013) grams lead per liter) or more than five thousandths (0.005) grams phosphorus per United States gallon (thirteen ten thousandths (0.0013) per liter).

(13) Any measuring device that does not meet the requirements of this rule shall be ordered corrected, discontinued or removed.

(14) No person shall hinder or obstruct the director or his/her delegated representative in the reasonable performance of his/her duties.

(15) No person shall break, tamper with, reproduce, remove or deface any official state seal, decal, tag, lock, label, form or equipment.]

[(16)] (8) If the design, construction or location of any device is such as to require a testing procedure involving special equipment or accessories or an abnormal amount of labor, the equipment, accessories and labor shall be supplied by the owner or operator of the device as required by the weights and measures official.

[(17) A listed rigidly anchored emergency shut-off valve (fire-impact) incorporating a fusible link or other thermally actuated device designed to close automatically in the event of severe impact or fire exposure shall be installed in accordance with the manufacturer's instructions in the supply line at the base of each island-type pump or dispenser or at the inlet of each overhead dispensing device. An emergency shut-off valve incorporating a slip joint feature shall not be used.

(18) Each hose nozzle at automotive service stations shall be equipped with a device, such as a spout anchor spring, designed to retain the nozzle spout in the vehicle fuel tank inlet while refueling.]

AUTHORITY: section 414.142, RSMo Supp. 1998. This rule was previously filed as 2 CSR 90-30.020. Emergency rule filed Dec. 1, 1987, effective Jan. 1, 1988, expired March 1, 1988. Original rule filed Oct. 16, 1987, effective Feb. 11, 1988. Amended: Filed April 2, 1990, effective June 28, 1990. Amended: Filed April 14, 1994, effective Sept. 30, 1994. Amended: Filed April 8, 1999, effective Nov. 30, 1999.*

**Original authority 1987, amended 1993, 1995.*

PUBLIC COST: The proposed amendment will not cost public entities more than five hundred (\$500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to these proposed amendments with Mr. Ronald G. Hayes, Division Director, Weights, Measures and Consumer Protection Division, P.O. Box 630, Jefferson City, MO 65102 or online at Agriculture.MO.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*