

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

PROPOSED AMENDMENT

2 CSR 90-30.090 Tank Trucks and Tank Wagons. The director is deleting sub-section c of section 1 and renumbering remaining sub-sections and making non-substantial changes to the division name.

PURPOSE: This rule is amended to delete redundant language found in the NIST Handbook 44, and non-substantial changes to the division name.

(1) Measuring Devices.

[(C)] Each measuring device shall be equipped with an effective and operating vapor eliminator to prevent the passage of vapor and air through the device. Vent lines from the vapor eliminator shall be made of metal or similar rigid material.]

[(D)] (C) No means shall be provided by which any measured liquid can be diverted from the measuring chamber of the meter or its discharge line.

[(E)] (D) The director of the Department of Agriculture or his/her delegated representative at least once each year shall test and inspect the measuring devices on tank trucks and tank wagons used in the retail or wholesale dispensing of products regulated by Chapter 414, RSMo.

[(F)] (E) No meter which has been condemned shall be used for commercial purposes. All condemned meters shall be conspicuously marked INACCURATE: USE PROHIBITED.

[(G)] (F) Each measuring device shall be sealed with an official state security seal to be applied by the director of the Department of Agriculture or his/her delegated representative.

[(H)] (G) No person, except the director or his/her delegated representative, shall duplicate the state seal of Missouri to be used for sealing or applying seals to any measuring device dispensing products regulated by Chapter 414, RSMo.

[(I)] (H) No person shall break or tamper with any official state security seal without the consent of the director of the Department of Agriculture or his/her delegated representative except for the repair or replacement of this device, at which time notification is to be given to the director within five (5) days.

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

[(K)] (J) 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.

AUTHORITY: section 414.142, RSMo Supp. 1998. 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.*