

(1985 Replacement Volume and 1991 Supplement)

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

Article - Agriculture

11-204.1.

(A) THE SECRETARY MAY ESTABLISH A PROGRAM TO TEST ANY WEIGHT AND MEASURE TO DETERMINE IF IT CONFORMS TO THE REQUIREMENTS OF THE NATIONAL CONFERENCE ON WEIGHTS AND MEASURES.

(B) THE SECRETARY MAY:

(1) ISSUE A CERTIFICATE OF APPROVAL TO ANY PERSON FOR A WEIGHT AND MEASURE THAT MEETS THE REQUIREMENTS OF THIS SECTION;

(2) DENY OR REVOKE A CERTIFICATE OF APPROVAL IF THE SECRETARY DETERMINES THAT:

(I) A PERSON HAS PROVIDED FALSE OR MISLEADING INFORMATION TO THE SECRETARY ABOUT ANY WEIGHT AND MEASURE; OR

(II) THE WEIGHT AND MEASURE DOES NOT CONFORM TO THE REQUIREMENTS OF THIS SECTION; AND

(3) CHARGE ~~A REASONABLE~~ THE APPROPRIATE FEE ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION IN ORDER TO COVER THE COST OF INSPECTING OR TESTING ANY WEIGHT AND MEASURE AS PROVIDED BY THIS SECTION.

(C) THERE IS A ~~SPECIAL~~ WEIGHT AND MEASURE TESTING FUND WITHIN THE MARYLAND DEPARTMENT OF AGRICULTURE. THE FUND IS A SPECIAL FUND ESTABLISHED FOR THE PURPOSE OF PAYING THE EXPENSES INCURRED IN TESTING AND APPROVING ANY WEIGHT AND MEASURE AS PROVIDED UNDER THIS SECTION. UNSPENT PORTIONS OF THE FUND SHALL REVERT TO THE GENERAL FUND OF THE STATE.

(D) UNLESS ISSUED A CERTIFICATE OF APPROVAL FROM THE SECRETARY, A PERSON MAY NOT REPRESENT ANY WEIGHT AND MEASURE AS APPROVED UNDER THIS SECTION.

(E) THE SECRETARY SHALL CHARGE THE FOLLOWING FEES FOR SERVICES PERFORMED UNDER THIS SECTION TO PROVIDE TYPE EVALUATION AND OTHER TESTING, AND FOR THE USE OF LABORATORY EQUIPMENT, SPECIAL PROTOTYPE TEST EQUIPMENT, AND VEHICLES:

(1) TECHNICAL SERVICES AND EVALUATIONS.....\$45 PER HOUR;