

SUBSTITUTE FOR  
HOUSE BILL NO. 6608

A bill to amend 1964 PA 283, entitled  
"Weights and measures act,"  
by amending section 28c (MCL 290.628c), as amended by 2003 PA 189.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 28c. (1) ~~The~~**EXCEPT AS OTHERWISE PROVIDED FOR IN THIS**  
2 **SUBSECTION, THE** method of sale of a commodity sold in Michigan  
3 shall conform to the "uniform regulation for the method of sale of  
4 commodities" published in the 2002 edition of the NIST handbook  
5 130, incorporated by reference, except as otherwise provided in  
6 this section or where modified by rule. Section 2.20.1 of the  
7 uniform regulation for the method of sale of commodities is not  
8 adopted. **THE METHOD OF SALE FOR LIQUEFIED PETROLEUM GAS SOLD IN**  
9 **MICHIGAN IS EXCLUDED FROM CONFORMING TO THE "UNIFORM REGULATION FOR**  
10 **THE METHOD OF SALE COMMODITIES" PUBLISHED IN THE 2002 EDITION OF**  
11 **THE NIST HANDBOOK 130. THE BUYING AND SELLING OF LIQUEFIED**

1 PETROLEUM GAS MAY BE CONDUCTED BY THE POUND, GALLON, METERED CUBIC  
2 FOOT, OR FLAT RATE PRICE, WITH THE PRICE RATE CLEARLY PUBLISHED AND  
3 DOCUMENTED. UPON REQUEST BY A CUSTOMER, A RETAILER MUST DISCLOSE  
4 THE ACTUAL POUNDS, GALLONS, OR METERED CUBIC FEET INCLUDED IN THE  
5 FLAT RATE PRICE. THE REQUIREMENTS OF THIS SUBSECTION APPLY ONLY TO  
6 TANKS OF 100 POUNDS OR LESS.

7 (2) The packaging and labeling requirements for commodities  
8 sold in Michigan shall conform to the "uniform packaging and  
9 labeling regulation" published in the 2002 edition of the NIST  
10 handbook 130, incorporated by reference, except for section 13 of  
11 that publication or except as otherwise modified by rule.

12 (3) A certificate of conformance for a type shall comply with  
13 the requirements of NCWM publication 14, "national type evaluation  
14 program technical policy, checklists and test procedures" and the  
15 2002 edition of the NIST handbook 44, "specifications, tolerances,  
16 and other technical requirements for weighing and measuring  
17 devices", incorporated by reference.

18 (4) The determination for a uniform basis conformance for a  
19 type shall comply with NCWM publication 14, "national type  
20 evaluation program technical policy, checklists and test  
21 procedures" and the 2002 edition of the NIST handbook 44,  
22 "specifications, tolerances, and other technical requirements for  
23 weighing and measuring devices", incorporated by reference.

24 (5) The specifications, tolerances, and regulations for  
25 commercial weights and measures shall be in compliance with the  
26 standards contained in the 2002 edition of the NIST handbook 44,  
27 incorporated by reference.

1           (6) Registration for service persons and service agencies and  
2 competency tests shall be in compliance with the standards  
3 contained in the 2002 edition of the NIST handbook 130, "uniform  
4 regulation for the voluntary registration of service persons and  
5 service agencies for commercial weighing and measuring devices",  
6 incorporated by reference, and the NIST handbook 44, incorporated  
7 by reference.