

EQUIPMENT RENTAL FACILITIES

and the MICHIGAN WEIGHTS and MEASURES LAW, Public ACT 283 of 1964

Michigan's Weights and Measures Law governs all products sold by weight, measure, or count; and all commercial devices used for those transactions and is enforced by the Michigan Department of Agriculture and Rural Development's (MDARD) Weights and Measures Program. This statute also regulates the advertising of products and the legal method of sale. Equipment rental facilities are also covered under by the Weights and Measures Law if they sell propane, or charge a per gallon fee to customers for fuel used during the rental period.

Commercially (legal for trade) approved meters/scales are required to have a current Certificate of Conformance issued by the National Conference on Weights and Measures. The National Type Evaluation Program (NTEP) number can be found on the device identification plate. If there is no NTEP number or the device is labeled "not legal for trade", "not for retail sale", or other such language, then the device is not legal for use for commercial purposes.; If an illegal device is found in use commercially, then the operator is in violation of the law. Additionally, the operator cannot estimate an amount as that is also a violation of the law. Exact amount must be used.

How do I get a legal for trade device installed?

There are two ways to have an approved device placed into service:

- 1) Schedule an appointment with MDARD's Weights and Measures Program to have the device inspected and tested for accuracy by an inspector, or
- 2) Hire a Michigan Registered Agency to install the device and test it for accuracy. This is the recommended option as the service company can adjust as needed and can provide routine maintenance on the device.

What do I need to sell propane legally?

Propane sales require either a legal for trade scale or meter. The operator can choose to sell by weight or volume.

What about rental equipment that is not returned with a full amount of fuel?

Here the operator has two choices:

- 1) Charge a flat rate or surcharge that is clearly stated in the rental contract.
- 2) Use a commercially approved and properly placed into service meter.

More information can be found at www.michigan.gov/wminfo. Operators can also call 517-655-8202 Monday through Friday between 8 a.m. and 5 p.m.