



**PROPOSED NEW WEIGHTS AND MEASURES METER TESTING PLAN**

The Department of Labor and Industry’s Weights and Measures Bureau (W & M) and the Montana Petroleum Marketers and Convenience Store Association (MPMCSA) will be conducting a series of meetings around the state to gather input on a proposed licensing and testing program for petroleum meters. This plan is the result of a collaborative effort between the Department and MPMCSA to address historical revenue shortfalls in the petroleum meter testing program without drastic increases to fees, while maintaining the Department’s ability to perform its statutory requirement to test retail petroleum meters in Montana.

Both W & M and the MPMCSA will explain the plan and will be available to answer questions. The dates, times and locations for three initial meetings are provided below, with plans to add meetings in Helena; Great Falls; Glasgow; Glendive; Miles City; Billings; Lewistown and Bozeman as soon as they can be scheduled. Visit the W & M website ([www.weightsandmeasures.mt.gov](http://www.weightsandmeasures.mt.gov)) for developments.

CITY	DATE	TIME	LOCATION	
Helena	May 26, 2016	6:30 pm	Weights and Measures	2801 N Cooke Street, Helena, MT
Missoula	May 31, 2016	6:30 pm	Missoula Public Library	301 E Main St, Missoula, MT
Kalispell	June 1, 2016	7:00 pm	Earl Bennett/Flathead Co. Health Dept.	1035 1st Ave W, Kalispell, MT

(See [www.weightsandmeasures.mt.gov](http://www.weightsandmeasures.mt.gov) for additional dates and locations)

**SUMMARY OF THE PROPOSED NEW TESTING PLAN—Phase 1 & 2**

The proposed testing plan would be implemented in two phases (explained below). The following are meter designations used by W & M that will be useful in discussing the testing plan:

- PA meters – Maximum delivery 20 or less gpm
- PB meters – Maximum delivery from 20 to 130 gpm
- PC meters – Maximum delivery over 130 gpm
- PD meters – Liquefied petroleum gas (LPG)

**Phase 1. Effective date January 1, 2018**

1. The annual license fees for all devices will not change and will remain in rule.
2. Businesses that dispense fuel from PA meters will be tested by W & M using a random testing plan (see below for testing details) based on a plan currently used by the State of Washington.
3. PA Meter owners will pay the annual license fee per each meter. These license fees will support the overall meter licensing and testing program. Meter owners will have the option of having W & M test all their PA products for an additional fee (to be determined) for each product not covered under the random testing plan. Meter owners must indicate their preference for random only or full testing at the time of license renewal or new license application. Full testing of all products will be billed separately for products not tested under random selection once testing is completed.
4. Products will be selected randomly for testing using a random generator application. Inspectors will have discretion to substitute other products such as those closest to the store entrance.
5. All dispensers will be inspected for compliance with state law and NIST Handbook requirements.
6. All PB, PC and PD meters will continue to be tested annually by W & M.

## **Phase 2. Effective date from 18 to 24 months after the random testing plan is implemented.**

1. Businesses that dispense fuel from PA meters will continue to be tested by W & M under the random testing plan. They will continue to exercise the option at renewal or when a new application is submitted, for W & M to test all their products.
2. PB and PC meters will continue to be tested annually. If identified as feasible during Phase 1, W & M will allow registered service providers to test in lieu of W & M inspectors. At renewal or when a new application is submitted, meter owners will have to indicate whether they want W & M or a registered service provider to do their testing.
3. All PD meters will continue to be tested annually by W & M.
4. License fees will remain in rule and will be evaluated for adjustment once W & M has had adequate time to determine program expenditures and revenues. The PA license fee, currently based on meters, will be changed to a license fee per product.
5. All dispensers, whether random or full testing is done, will be inspected for compliance with state law and NIST Handbook requirements.
6. An auditing/monitoring program will be developed to evaluate the random testing program and to assess compliance by registered service providers. W & M anticipates substantial changes to the registered service provider program.

## **SUMMARY OF RANDOM TEST PLAN FOR DISPENSERS WITH PA METERS**

### **1. SAMPLING - ROUTINE INSPECTIONS**

- A. TWO OR FEWER PRODUCTS - All products will be tested at locations that have up to two products.
- B. THREE TO SIX PRODUCTS- When there are three to six products, inspectors will randomly select and test 50% of the products. If the random selection does not include the highest-use unleaded regular product, the inspector will select that product and delete the first randomly selected meter in the sequence.
- C. SEVEN OR MORE PRODUCTS - When there are seven or more products, 15% of the products will be randomly selected for testing. If the random selection does not include the highest-use unleaded regular product, the inspector will select that meter and delete the first randomly selected product in the sequence.

### **2. SAMPLING - WHEN ERRORS ARE FOUND DURING INSPECTIONS**

- A. THREE TO SIX PRODUCTS – If a tolerance, computation or a predominant minus error is suspected, all products at the location will be tested.
- B. SEVEN OR MORE PRODUCTS
  - a. If no tolerance or computation errors are found after the selected products are tested, testing is complete. If a tolerance or computation error is found or predominant minus error is suspected, another 15% of the products will be randomly selected and tested.
  - b. If no tolerance or computation errors are found in this second sample, testing is complete. If a tolerance or computation error is found or a predominant minus error is suspected, all products at the location will be tested.

### **3. TESTING FOR NEW LOCATIONS WITH MORE THAN 7 PRODUCTS**

- A. The inspector will randomly select 25% of products for testing. If the random selection does not include the highest-use unleaded regular product, the inspector will select that product and delete the first randomly selected product in the sequence.
- B. If no tolerance or computation errors are noted, testing is complete. If a tolerance or computation error is found or a predominant minus error is suspected in sample one, another 25% will be randomly selected.
- C. If no tolerance, computation or predominance error is noted in sample two, testing is complete.
- D. If a tolerance, computation or predominance error is noted in sample two, all remaining products will be tested.