

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY
LEGISLATIVE OVERSIGHT REPORT**

**RE: Office of Agro-Consumer Services/Weights and Measures
Flow Meter Fees
(LAC 7:XXXV.125)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent of the Department of Agriculture and Forestry to take the proposed action with regard to the above cited rule.

I. THE PROPOSED ACTION

A mass flow meter is a weighing and measuring device that uses metering principles to measure liquid or gaseous materials and accurately determine weight. The Weights and Measures Division does not currently have the standards needed to test these meters. These devices must be certified as commercial weighing and measuring devices under current law. To get their mass flow meters certified, a device owner must have a registered service agency test the device in the presence of a Weights and Measures official. The Weights and Measures official determines if the device conforms to the specifications and tolerances set forth in NIST Handbook 44 (Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices). The proposed rule change helps recover some of the costs associated with the certification of mass flow meters used commercially.

II. THE REASONS FOR THE PROPOSED ACTION

Currently, the licensing fee does not cover the expenses for certifying mass flow meters. As mentioned above, the Weights and Measures Division does not have the standards required to test these devices, therefore, third-party testing is witnessed by our inspectors to ensure that all specifications, tolerances, and other technical requirements are met according to NIST Handbook 44. This increase will help recover most of the costs associated with certifying these meters. Certifying these meters is necessary to ensure equity in the marketplace.

III. STATUTORY AUTHORITY

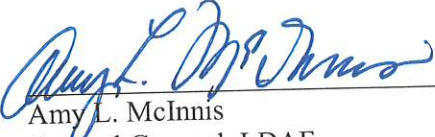
The proposed amendment is being promulgated in order to comply with La. R.S. 3:4608 and 4622.

IV. ATTACHMENTS

A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.

B. A copy of the fiscal and economic impact statement approved by the Legislative Fiscal Office.

C. A copy of the Notice of Intent filed with the State Register.



Amy L. McInnis
General Counsel, LDAF



Date of signature