



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4502 (Substitute H-2 as reported by the Committee of the Whole)
Sponsor: Representative Fran Amos
House Committee: Agriculture
Senate Committee: Agriculture, Forestry and Tourism

CONTENT

The bill would amend the Weights and Measures Act to establish the following civil fines for an owner of a motor fuel delivery facility who intentionally delivered less fuel to a retail customer than the fuel pump meter indicated:

- For a first violation, \$5,000.
- For a second violation, \$10,000.
- For a third violation or any subsequent violation, \$25,000.

The Michigan Department of Agriculture (MDA) could assess these fines, which would apply in addition to any other applicable penalties.

The MDA would have to inspect motor fuel facilities with three or more violations at least annually, and could close any facility that was responsible for a violation until the owner could demonstrate that the problem was corrected.

Any civil fines or recovery of any economic benefits associated with a violation of the Act that were collected under these provisions would have to be paid to the General Fund and credited to the MDA for enforcement of the Act. Any civil fines could be embodied in a consent order as provided under Section 31a of the Act.

MCL 290.631

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The proposed new fines under the bill would result in additional State revenue credited to the General Fund and dedicated to enforcement of the Act. It is unknown how much additional revenue would be generated. In FY 2003-04, the MDA assessed \$311,850 in fines and penalties under the current provisions of the Act.

Date Completed: 4-19-06

Fiscal Analyst: Craig Thiel