

Legislative Analysis



AMEND WEIGHTS AND MEASURES ACT

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Senate Bill 685 (Substitute H-1)
Sponsor: Sen. Darwin L. Booher
House Committee: Agriculture
Senate Committee: Agriculture

Complete to 10-16-14

A SUMMARY OF SENATE BILL 685 AS REPORTED FROM HOUSE COMMITTEE

Senate Bill 685 would amend Section 28c of the Weights and Measures Act to make references to the 2014 edition of the National Institute of Standards and Technology (NIST) Handbook 130. Currently the act refers to the 2012 edition.

This handbook contains the "uniform regulation for the method of the sale of commodities." The Weights and Measures Acts incorporates the handbook by reference for use, generally speaking, in regulating the sale of commodities in Michigan.

The bill would allow the Secretary of State to refer a complaint regarding a possible violation of the standards by a registered motor vehicle repair shop to the Michigan Department of Agriculture and Rural Development, which is responsible for enforcing the NIST standards.

MCL 290.628c

FISCAL IMPACT:

Senate Bill 685 would have a negative fiscal impact on the Department of Agriculture and Rural Development (DARD) to the extent that DARD would be responsible for the enforcement the 2014 NIST standards, particularly as they pertain to motor oil. DARD estimates that the annual costs of enforcing the standards at approximately \$190,000 to support 1.0 FTE (\$120,000) and associated laboratory (\$30,000) and travel (\$40,000) expenses to respond to complaints related to the quality or quantity of motor oil.

BACKGROUND AND DISCUSSION:

The 2014 Weights and Measures Handbook includes new labeling requirements for motor oil containers. According to testimony given by the Michigan Oil Change Association, a self-described industry group, approximately 20% of all oil changes are performed with oil that is either previously used or otherwise not up to the manufacturer's specifications for the vehicle for which it is being used. Supporters of the bill note that the new labeling standards will make it easier for investigators to trace the source of the oil and determine if the improper oil was used intentionally by the oil

changer or if the business purchased what it thought was the proper oil from an unscrupulous dealer.

The Secretary of State handles licensing for vehicle repair facilities while MDARD is responsible for weights and measures-related inspections. MDARD remained neutral due to a lack of additional funding included in the bill.

POSITIONS:

The Michigan Oil Change Association indicated support for the bill. (6-4-14)

The Michigan Department of Agriculture and Rural Development is neutral. (6-4-14)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.