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Senate Bill 1059 (Substitute S-1 as reported)  
Sponsor: Senator Kevin Daley  
Committee: Agriculture

### **CONTENT**

The bill would amend the Weights and Measures Act to do the following:

- Replace references to NTEP [National Type Evaluation Program] measuring device or non-NTEP measuring device with references to "NTEP weighing device".
- Allow the Director of the Michigan Department of Agriculture and Rural Development (MDARD) to initiate an enforcement action against a registered serviceperson or registered service agency for failing to comply with a request for documents or other information related directly to a registration audit, among other things, and define "registration audit".
- Prohibit the use of the word "approximate" in connection with a weight or measure declaration for a packaged commodity.
- Specify that a cottage food operation would not have to include the address of the cottage food operation on a label if specified requirements under the Food Law were met.
- Incorporate by reference standards published in the 2022, instead of the 2014, editions of National Institute of Standards and Technology (NIST) Handbooks.
- Specify that the option to use pressure sensitive security tape as a security measure on a fuel pump would apply until December 31, 2023.
- Replace references to "person" in the Act's criminal violations and penalties provisions with references to "individual".

MCL 290.602 et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have a minimal fiscal impact on MDARD, as the proposed changes to regulatory requirements and enforcement would be assumed by existing weights and measures regulation staff. This would include the proposed language that would provide for electric vehicle fueling system standards, which would require the Department to inspect commercial electric vehicle fueling systems. The costs of this new responsibility would be covered by existing gas/diesel fuel inspection teams, and the Department already possesses the necessary technical equipment to accomplish this task.

Date Completed: 9-22-22

Fiscal Analyst: Bruce Baker