

§2412. Registration of motor fuel dispensers

It is unlawful to sell motor fuel from a commercial motor fuel dispenser without a certificate of registration. [PL 1991, c. 712, §3 (NEW); PL 1991, c. 712, §5 (AFF).]

1. Certificate of registration. The state sealer shall provide application forms and shall issue a certificate of registration upon receipt of a completed application accompanied by an annual fee as determined under subsection 5. A certificate of registration expires on December 31st. The state sealer may issue a registration for a one-year, 2-year or 3-year period. Registrations for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year registration is 2 times the annual fee. The fee for a 3-year registration is 3 times the annual fee. [PL 2007, c. 539, Pt. GGGG, §1 (AMD).]

2. Local sealers account. The state sealer shall deposit all fees from applicants with commercial dispensers in municipalities with duly appointed local sealers into a separate, nonlapsing account, known as the local sealers account. Funds from this account may be used for costs associated with carrying out this subchapter. The state sealer shall deposit all other fees received under this section into the General Fund.

[PL 1995, c. 665, Pt. T, §1 (AMD).]

3. Payment from local sealers account. Upon receiving verification from a local sealer that a registered fuel dispenser has been inspected and conforms to standards established for fuel dispensers, the state sealer shall pay to the local sealer an amount as determined under subsection 5.

[PL 2007, c. 539, Pt. GGGG, §2 (AMD).]

4. No additional fee. A state or local sealer may not assess a fee for periodic testing and sealing of retail motor fuel dispensers.

[PL 1991, c. 712, §3 (NEW); PL 1991, c. 712, §5 (AFF).]

5. Rulemaking. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to establish a fee for issuing a certificate of registration under subsection 1 and the payment to a local sealer under subsection 3. The fee and payment established in rule must be per dispensing nozzle certified or inspected. Notwithstanding Title 5, section 8071, subsection 3, paragraph B, rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2007, c. 539, Pt. GGGG, §3 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

SECTION HISTORY

PL 1991, c. 712, §3 (NEW). PL 1991, c. 712, §5 (AFF). PL 1995, c. 665, §T1 (AMD). PL 1997, c. 454, §5 (AMD). PL 2007, c. 539, Pt. GGGG, §§1-3 (AMD). PL 2011, c. 657, Pt. W, §6 (REV).

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