

DEPARTMENT OF AGRICULTURE

LABORATORY DIVISION

REGULATION NO. 559. LIQUID MEASURING DEVICES

(By authority conferred on the department of agriculture by section 8 of Act No. 283 of the Public Acts of 1964, as amended, being S290.608 of the Michigan Compiled Laws)

R 285.559.1 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means Act No. 283 of the Public Acts of 1964, as amended, being S290.601 et seq. of the Michigan Compiled Laws.

(b) "Marina" means an establishment that dispenses gasoline and diesel fuel at a dock or basin for use in watercraft.

(c) "Roadway retail outlet" means an establishment that dispenses gasoline and diesel fuel for use in motor vehicles which travel on public roadways.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1981 AACs.

R 285.559.2 Modification of requirements; method; signs; decals.

Rule 2. (1) As provided in section 8(e) of the act, the requirements of section 1.14 general code, paragraph G-UR.1.1. and section 3.30 liquid measuring devices, paragraph S.1.4.4., recommended and published in the national bureau of standards handbook 44, pertaining to liquid measuring devices are modified when the devices are located at roadway retail outlets having sales of less than 100,000 gallons in the previous calendar year, located at marinas having sales of less than 50,000 gallons in the previous calendar year, or located anywhere if the devices dispense non-motor fuel products and power mix (a mixture of gasoline and motor oil) products normally sold in quantities of 5 gallons or less, regardless of the amount of sales in the previous calendar year.

(2) The modification referred to in subrule (1) of this rule is that pricing by 1/2 gallon shall only be permitted when all of the following requirements are met:

(a) Gasoline and diesel fuel products are priced in even tenths of a cent (example: 100 8/10, 101 8/10, 100 6/10, 100 4/10, 100 2/10, 100 0/10).

(b) The unit price variator is set at 1/2 selling price (example: selling price, 101 8/10 CENTS PER GALLON: variator setting price 50 9/10 CENTS PER 1/2 GALLON).

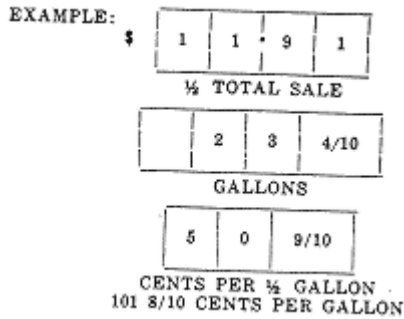
(c) Labels are affixed to both faces of the dispensers with letters and numerals of the same height and width as existing figures on the dispenser, which read as follows:

(i) Immediately beneath the variator setting price, the words, "CENTS PER 1/2 GALLON."

(ii) Immediately beneath "CENTS PER 1/2 GALLON," the correct unit price per gallon.

(iii) Immediately beneath the total price display, the words "1/2 TOTAL SALE."

**Figure for 285.559.2**



(d) A sign shall be posted at the top of each dispenser that has been set to compute by the price per 1/2 gallon. The sign shall state the following in letters not less than 3/4 of an inch in height and 1/2 inch in width:

NOTICE

THIS DISPENSER COMPUTES TOTAL SALE BY ONE-HALF GALLON PRICE. THE PRICE REPRESENTED ON THE DISPENSER FACE IS ONE-HALF THE TOTAL PRICE OF THE SALE.

(e) If roadside advertising is used, the advertised price shall be the full price per gallon.

(f) Pricing by 1/2 gallon shall not be permitted when the value of the transaction exceeds twice the range of the computing elements.

History: 1981 AACS.

R 285.559.3 Written record evidencing computers on order required.

Rule 3. Roadway retail outlets having sales of less than 100,000 gallons in the previous calendar year and that are pricing by 1/2 gallon shall have a written record available at the device location which indicates that computers are on order which have a total sale price capability of not less than \$99.99. Pricing by 1/2 gallon shall not be permitted if the written record is not available. This requirement does not apply to marinas having sales of less than 50,000 gallons in the previous calendar year and establishments dispensing non-motor fuel products and power mix (a mixture of gasoline and motor oil) products normally sold in quantities of 5 gallons or less at any location, regardless of the amount of sales in the previous year.

History: 1981 AACS.

R 285.559.4 Enforcement.

Rule 4. If an establishment pricing by 1/2 gallon is found to be in violation of any of the provisions of R 285.559.2 or R 285.559.3, the computing equipment shall be condemned and removed from service by the weights and measures official. A fee shall be charged for the reinspection as provided by section 10a of the act.

History: 1981 AACS.

R 285.559.5 Units of volume other than U.S. gallon.

Rule 5. (1) When a liquid measuring device is operating in units of volume other than the United States gallon, the unit price per gallon shall be shown legibly and conspicuously on the dispenser. The

United States gallon price shall be posted in numerals and letters not less than 1/2 inch high when immediately adjacent to the variator unit price. Numerals expressing a fraction of a cent shall be not less than 1/2 the height and width of the numerals representing the dollar and cents. The United States gallon price may be posted in a location other than adjacent to the variator unit price; however, the location of the United States gallon price shall not be lower than the location of the variator unit price and shall be in letters and numerals not less than 1 inch in height. For each unit price, there shall be a United States gallon price posted. For example, a 2-sided double pump shall have 4 United States gallon prices posted. The United States gallon price shall be as conspicuous and legible as the variator unit price to a customer when viewed from the driver's position of a motor vehicle positioned in front of the dispenser. The United States gallon price shall be placed under the glass or plastic cover of the dispenser. When a dispenser does not have a glass or plastic cover, the United States gallon price shall be made of a weather-resistant material or protected from the environment by some form of transparent covering.

(2) When a liquid measuring device is operating in liter units, the following conversion of liter to gallon price shall be used:

Price per liter	Price per gallon
24.0	90.8
24.1	91.2
24.2	91.6
24.3	92.0
24.4	92.4
24.5	92.7
24.6	93.1
24.7	93.5
24.8	93.9
24.9	94.3
25.0	94.6
25.1	95.0
25.2	95.4
25.3	95.8
25.4	96.1
25.5	96.5
25.6	96.9
25.7	97.3
25.8	97.7
25.9	98.0
26.0	98.4
26.1	98.8
26.2	99.2
26.3	99.6
26.4	99.9
26.5	100.3
26.6	100.7
26.7	101.1
26.8	101.4
26.9	101.8
27.0	102.2
27.1	102.6
27.2	103.0
27.3	103.3
27.4	103.7
27.5	104.1
27.6	104.5

27.7	104.9
27.8	105.2
27.9	105.6
28.0	106.0
28.1	106.4
28.2	106.7
28.3	107.1
28.4	107.5
28.5	107.9
28.6	108.3
28.7	108.6
28.8	109.0
28.9	109.4
29.0	109.8
29.1	110.2
29.2	110.5
29.3	110.9
29.4	111.3
29.5	111.7
29.6	112.0
29.7	112.4
29.8	112.8
29.9	113.2
30.0	113.6
30.1	113.9
30.2	114.3
30.3	114.7
30.4	115.1
30.5	115.5
30.6	115.8
30.7	116.2
30.8	116.6
30.9	117.0
31.0	117.3
31.1	117.7
31.2	118.1
31.3	118.5
31.4	118.9
31.5	119.2
31.6	119.6
31.7	120.0
31.8	120.4
31.9	120.8
32.0	121.1
32.1	121.5
32.2	121.9
32.3	122.3
32.4	122.6
32.5	123.0
32.6	123.4
32.7	123.8
32.8	124.2
32.9	124.5
33.0	124.9
33.1	125.3
33.2	125.7

33.3	126.1
33.4	126.4
33.5	126.8
33.6	127.2
33.7	127.6
33.8	127.9
33.9	128.3
34.0	128.7
34.1	129.1
34.2	129.5
34.3	129.8
34.4	130.2
34.5	130.6
34.6	131.0
34.7	131.4
34.8	131.7
34.9	132.1
35.0	132.5
35.1	132.9
35.2	133.2
35.3	133.6
35.4	134.0
35.5	134.4
35.6	134.8
35.7	135.1
35.8	135.5
35.9	135.9
36.0	136.3
36.1	136.7
36.2	137.0
36.3	137.4
36.4	137.8
36.5	138.2
36.6	138.5
36.7	138.9
36.8	139.3
36.9	139.7
37.0	140.1
37.1	140.4
37.2	140.8
37.3	141.2
37.4	141.6
37.5	142.0
37.6	142.3
37.7	142.7
37.8	143.1
37.9	143.5
38.0	143.8
38.1	144.2
38.2	144.6
38.3	145.0
38.4	145.4
38.5	145.7
38.6	146.1
38.7	146.5
38.8	146.9

38.9	147.3
39.0	147.6
39.1	148.0
39.2	148.4
39.3	148.8
39.4	149.1
39.5	149.5
39.6	149.9
39.7	150.3
39.8	150.7
39.9	151.0
40.0	151.4
40.1	151.8
40.2	152.2
40.3	152.6
40.4	152.9
40.5	153.3
40.6	153.7
40.7	154.1
40.8	154.4
40.9	154.8
41.0	155.2
41.1	155.6
41.2	156.0
41.3	156.3
41.4	156.7
41.5	157.1
41.6	157.5
41.7	157.9
41.8	158.2
41.9	158.6
42.0	159.0
42.1	159.4
42.2	159.7
42.3	160.1
42.4	160.5
42.5	160.9
42.6	161.3
42.7	161.6
42.8	162.0
42.9	162.4
43.0	162.8
43.1	163.2
43.2	163.5
43.3	163.9
43.4	164.3
43.5	164.7
43.6	165.0
43.7	165.4
43.8	165.8
43.9	166.2
44.0	166.6
44.1	166.9
44.2	167.3
44.3	167.7
44.4	168.1

44.5	168.5
44.6	168.8
44.7	169.2
44.8	169.6
44.9	170.0
45.0	170.3
45.1	170.7
45.2	171.1
45.3	171.5
45.4	171.9
45.5	172.2
45.6	172.6
45.7	173.0
45.8	173.4
45.9	173.7
46.0	174.1
46.1	174.5
46.2	174.9
46.3	175.3
46.4	175.6
46.5	176.0
46.6	176.4
46.7	176.8
46.8	177.2
46.9	177.5
47.0	177.9
47.1	178.3
47.2	178.7
47.3	179.0
47.4	179.4
47.5	179.8
47.6	180.2
47.7	180.6
47.8	180.9
47.9	181.3
48.0	181.7
48.1	182.1
48.2	182.5
48.3	182.8
48.4	183.2
48.5	183.6
48.6	184.0
48.7	184.3
48.8	184.7
48.9	185.1
49.0	185.5
49.1	185.9
49.2	186.2
49.3	186.6
49.4	187.0
49.5	187.4
49.6	187.8
49.7	188.1
49.8	188.5
49.9	188.9
50.0	189.3

50.1	189.6
50.2	190.0
50.3	190.4
50.4	190.8
50.5	191.2
50.6	191.5
50.7	191.9
50.8	192.3
50.9	192.7
51.0	193.1
51.1	193.4
51.2	193.8
51.3	194.2
51.4	194.6
51.5	194.9
51.6	195.3
51.7	195.7
51.8	196.1
51.9	196.5
52.0	196.8
52.1	197.2
52.2	197.6
52.3	198.0
52.4	198.4
52.5	198.7
52.6	199.1
52.7	199.5
52.8	199.9
52.9	200.2
53.0	200.6

If a liter price is less than or exceeds the range of this chart, the United States gallon price shall be determined only by use of the following procedure: Multiply the liter price times 3.7854 to obtain the United States gallon price. The United States gallon price shall be rounded to the 1/10 cent price by the figure or figures next to and beyond the 1/10 cent. When the figure or figures next to and beyond the 1/10 cent are greater than 5, the 1/10 cent shall be increased by 1. Example: \$0.538 per liter x 3.7854 = \$2.0365452 and is rounded to \$2.037. When the figure or figures next to and beyond the 1/10 cent are less than 5, the 1/10 cent shall be retained. Example: \$0.539 per liter x 3.7854 = \$2.0403306 and is rounded to \$2.040. When the figure or figures next to and beyond the 1/10 cent are exactly 5, the 1/10 cent shall be retained if an even number or increased by 1 if an odd number. Example: \$.471500 is rounded to \$.472, \$.472500 is rounded to \$.472, \$.473500 is rounded to \$.474, and \$.474500 is rounded to \$.474.

History: 1981 AACS; 1982 AACS.

R 285.559.6 Expiration date.

Rule 6. These rules governing liquid measuring devices when located at roadway retail outlets having an allocation of less than 100,000 gallons per year shall expire on January 1, 1985.

History: 1981 AACS.