

## IDAPA 02 – DEPARTMENT OF AGRICULTURE

### 02.02.14 – RULES FOR WEIGHTS AND MEASURES

#### ***DOCKET NO. (OARC will assign)***

#### **NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 71-121, Idaho Code.

**MEETING SCHEDULE:** A public meeting(s) on the negotiated rulemaking will be held as follows:

June 19, 2013, from 1:00 to 2:00 P.M. (MDT – Idaho State Department of Agriculture, 2270 Old Penitentiary Road, Boise, ID, 83712.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

All written comments must be directed to Kevin Merritt and must be delivered on or before July 15, 2013. Written comments can be sent via mail to:

Kevin Merritt  
Idaho State Department of Agriculture  
P.O. Box 790  
Boise, Idaho 83701-0790

Or:

Attend the negotiated rulemaking meeting on June 19.

A draft of the proposed rule change will be available on June 12, 2013, on the ISDA website [http://www.agri.idaho.gov/Categories/LawsRules/sub\\_rules/Rulemaking.php](http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php). Comments must be received by ISDA by July 15, 2013.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The proposed rule change will expand the scope of devices included in Table 1-A to include all categories of devices inspected by the ISDA. The changes will establish a uniform fee for all devices inspected and also create new categories for devices emerging in the marketplace, e.g., compressed natural gas meters and fuel additive meters. The following is a list of proposed changes:

- Establish an annual uniform minimum license fee of \$12.00.
- Add liquid natural gas meters and compressed natural gas meters with a fee of \$60.00.
- Add fuel additive meters with a fee of \$10.00.
- Add a minimum fee for Device Code A, Scales  $\leq$  50 lb. of \$12.00.
- Add a minimum fee for Device Code G, Motor Fuel Devices  $\leq$  20 gpm of \$12.00.
- Add a minimum fee for Device Code M, Cordage meter of \$10.00.
- Combine cordage meters and fabric meters under device code M.
- Remove “petroleum” from the KEY Device Code H and I.
- Increase license fee for Device Code D to \$75.00.
- Increase license fee for Device Codes E & F to \$100.00.

The proposed fee increases will not take effect until after February 2015.

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**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Kevin Merritt, Section Manager, Weights and Measures at (208) 332-8690. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Department of Agriculture's rulemaking web site at the following web address: [http://www.agri.idaho.gov/Categories/LawsRules/sub\\_rules/Rulemaking.php](http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php).

Anyone may submit comments regarding this negotiated rulemaking. All written comments must be directed to Kevin Merritt and must be delivered on or before July 15, 2013.

DATED this 10th day of May, 2013

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