



New Mexico Department of Agriculture

Division of Standards and Consumer Services

MSC 3170

New Mexico State University

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December 18, 2015

TO: Petroleum Retailers and Wholesalers

FROM: Jeff M. Witte, Director/Secretary

SUBJECT: Security Seals (SCS 2016 E-10)

A handwritten signature in blue ink, appearing to read 'Jeff M. Witte', written over the 'FROM:' line of the memo.

This external policy supersedes SCS 2014 E-10 dated July 24, 2014.

The right to break security seals and to adjust measuring equipment is reserved for weights and measures officials and service technicians employed by registered service establishments.

Legal Basis

Petroleum Products Standards Act, Chapter 57, Article 19, Sections 25 through 37, NMSA 1978.

SECTION 30.B. INSPECTION OF MEASURING DEVICES.-- No person shall refuse to permit the director or his authorized representative to inspect, test and seal as necessary any commercial device designed to measure or dispense petroleum products. No person shall break the seal without permission from the director or his authorized representative. A broken seal on a commercial device designed to measure or dispense petroleum products shall be prima facie evidence of a violation of the Petroleum Products Standards Act.

Relation to Truck Mounted, Loading Rack, and LPG Metering Equipment

When security seals are broken the following procedures must be followed:

1. The New Mexico Department of Agriculture (NMDA) must be notified in writing **within 72 hours**. Information must include why the seal was broken, what was done to the meter, and the unit number of the truck.
2. Companies with full or limited service registrations must also reseal the adjustment mechanism with a company seal. If adjustments were made, a place-in-service report and test report must be submitted, the NMDA approval label removed, and a company service sticker applied.

3. If the NMDA "warning" tag is removed when seals are broken, it must be retained and presented to the weights and measures official who reinspects the meter.

If you have any questions about this matter, please refer them to:

Joe E. Gomez, Division Director or
David J. Turning, Assistant Division Director
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JMW/jeg