



New Mexico Department of Agriculture

Office of the Director/Secretary

MSC 3189

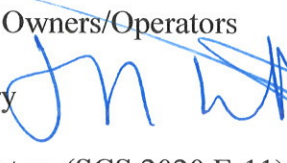
New Mexico State University

P.O. Box 30005

Las Cruces, NM 88003-8005

575-646-3007

January 2, 2020

TO: LPG and Bulk Metering Device Owners/Operators  
FROM: Jeff M. Witte, Director/ Secretary   
SUBJECT: Regulations on LPG and Bulk Meters (SCS 2020 E-11)

This external policy supersedes SCS 2018 E-11 dated January 2, 2018.

In accordance with the provisions of the Petroleum Products Standards Act (Chapter 57, Article 19, section 30, Part A, NMSA 1978); and 19 NMAC 15.108, Bonding and Registration of Service Technicians and Service Establishments for Commercial Weighing or Measuring Devices, the requirements for placing in service LPG and bulk metering devices will be as follows:

- New Mexico Department of Agriculture (NMDA) will routinely inspect and test LPG and bulk meters throughout the state.
- A Notice of Violation (notice to repair within 30 days) or Out of Order (device immediately placed out of service) will be issued for any device found not in compliance with all the requirements set forth in the most current edition of *National Institute of Standards and Technology (NIST) Handbook 44*.

**Notice of Violation-** Will be issued for any device found to be out of tolerance and under registering (over delivering) or out of tolerance and over registering (under delivering) by no more than twice its applicable tolerance, or has a deficiency that is not dangerous or that could not perpetuate fraud. The meter must be repaired, but may be used for a period not to exceed thirty (30) days from the issuance of the Notice of violation. The meter must be placed in service by a Registered Service Establishment or NMDA within that thirty (30) day period or it will be placed Out of Order.

**Out of Order-** Will be issued for any device found to be out of tolerance, over registering (under delivering) in excess of twice its applicable tolerance, or has a deficiency that is dangerous or which could perpetuate fraud. The device will be placed out of service immediately and will not be allowed to be used until it complies with all the requirements of *NIST Handbook 44* and placed in service by a Registered Service Establishment or NMDA.

NMDA will not repair or adjust meters nor remain on site to re-inspect rejected meters while they are being adjusted or repaired. Upon request, NMDA will place devices into service, based upon availability of time and resources, in accordance with the current schedule of fees for weights and measures services. No adjustments or repairs will be made during NMDA's placed in service inspections. Any meter not meeting all requirements of *NIST Handbook 44* during placed in service inspections will be rejected. Regulated businesses are encouraged to use the services of Registered Service Establishments for making adjustments or repairs and placing the devices in service.

Whenever a meter is placed back in service because an Out of Order was issued, the Out of Order form or a placed in service report must be completed by the Registered Service Establishment and sent to NMDA within five (5) calendar days. The service agency must also place a tested and approved seal on the device.

When security seals are broken for reasons other than calibration, NMDA must be notified in writing within 72 hours so the meters may be resealed by NMDA personnel as soon as possible.

**Use of Master Meters- Master meters may not** be used to place devices into service.

Questions concerning this external policy may be directed to:

Raymond E. Johnson, Jr., Division Director  
Division of Standards and Consumer Services  
MSC 3170, P.O Box 30005  
Las Cruces, New Mexico 88003-8005  
(575) 646-1616

JMW/rj