64th Legislature SB0155.01

1	SENATE BILL NO. 155
2	INTRODUCED BY B. TUTVEDT
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LICENSE FEES FOR PETROLEUM DEALERS; SETTING
5	AN INSPECTION AND TESTING SCHEDULE FOR PETROLEUM METERS; ALLOWING A LICENSE FEE TO
6	BE CREDITED TO A FUTURE YEAR IF A METER IS NOT INSPECTED AND TESTED; AND AMENDING
7	SECTION 82-15-105, MCA."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	Section 1. Section 82-15-105, MCA, is amended to read:
12	"82-15-105. Licenses and fees status of license on transfer of ownership testing. (1) A petroleum
13	dealer or liquefied petroleum dealer may not do business in this state until licensed by the department. The
14	license must be obtained by the dealer by making application to the department upon forms provided by the
15	department. A dealer who has not been issued a license and who is found selling, offering for sale, delivering,
16	or distributing petroleum products shall be punished upon conviction as provided by this part.
17	(2) (a) The department shall adopt rules establishing license License fees must be paid annually except
18	as provided in subsection (2)(b)(i) and are based upon the measuring devices used by the dealer as follows:
19	(i) each gasoline meter, diesel meter, compressed natural gas dispenser, or fuel oil meter with a listed
20	maximum delivery rate of 20 gallons per minute or less, \$27;
21	(ii) each petroleum vehicle tank meter or stationary petroleum meter with a maximum listed delivery rate
22	of between 20 gallons per minute and 130 gallons per minute, \$88;
23	(iii) each petroleum vehicle tank meter or stationary petroleum meter with a maximum listed delivery rate
24	of more than 130 gallons per minute, \$104; and
25	(iv) each liquefied petroleum meter, \$128.
26	(b) Upon payment of the license fee provided for in subsection (2)(a), a meter must be inspected and
27	tested as follows:
28	(i) meters that deliver 20 gallons per minute or less must be inspected and tested every 2 years. The fee
29	required in subsection (2)(a)(i) is for a 2-year period.
30	(ii) all other meters must be inspected and tested annually.

64th Legislature SB0155.01

(c) The license fee provided for in subsection (2)(a) must be credited to a future year if the meter is not inspected and tested in the time period required by subsection (2)(b).

(3) The fees required in subsection (2) may be paid by credit card and may be discounted for payment processing charges paid by the department to a third party. The fees must be deposited in the state special revenue fund of the department for use in administrating and enforcing this part.

(3)(4) All licenses are annual and expire on the anniversary date established by rule by the board of review established in 30-16-302. There is an additional charge of 50% on all license fees that are not paid within 60 days of the licensee's anniversary date. If the fee is not paid, the equipment must be sealed and removed from service by the department. It is unlawful for anyone to use a device removed from service or to break the seal until all fees have been paid."

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