

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF AGRICULTURE**

**CHAPTER 0080-08-01  
COMMODITY SALES AND FEES**

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**0080-08-01-.01 METHOD OF SALE OF COMMODITIES.**

The department adopts by reference, as if fully stated herein, the standards titled “Uniform Regulation for the Method of the Sale of Commodities” as published in the National Institute of Standards and Technology (NIST) Handbook 130 issued by the U.S. Department of Commerce, as it may be amended from time to time, provided that its Sections 2.19 Kerosene and 2.20 Gasoline-Oxygenate Blends are not adopted and shall not apply to methods of sale regulated by the department.

**Authority:** T.C.A. §§ 4-3-203 and 47-26-909. **Administrative History:** Original rule filed March 23, 2016; effective June 21, 2016.

**0080-08-01-.02 WEIGHTS AND MEASURES EQUIPMENT FEES.**

Annual fee requirements for commercial weighing and measuring equipment in the state are assessed according to T.C.A. § 43-1-703(f), and are as follows:

- (1) Liquid measuring equipment.
  - (a) Regular Flow. Regular flow means liquid measuring equipment kept or used for measuring liquids sold at retail. A regular flow device is rated by its manufacturer as capable of measuring volumes dispensed at a rate less than 20 gallons per minute, or the metric equivalent. The fee for regular flow liquid measuring devices is based on the number of grade selection buttons at the facility, as follows:
    1. 1 – 6 grade selection buttons: Tier 1 fee;
    2. 7 – 12 grade selection buttons: Tier 2 fee;
    3. 13 – 18 grade selection buttons: Tier 3 fee;
    4. 19 – 24 grade selection buttons: Tier 4 fee;
    5. 25 – 30 grade selection buttons: Tier 5 fee;
    6. 31 – 36 grade selection buttons: Tier 6 fee;
    7. 37 – 54 grade selection buttons: Tier 7 fee;
    8. 55 – 78 grade selection buttons: Tier 9 fee;
    9. More than 78 grade selection buttons: Tier 10 fee.

(Rule 0080-08-01-.02, continued)

- (b) High Flow. High flow means liquid measuring equipment kept or used for measuring liquids sold at retail. A high flow device is rated by its manufacturer as capable of measuring volumes dispensed at a rate greater than or equal to 20 gallons per minute, or the metric equivalent.
  - 1. 1 – 6 dispensers: Tier 3 fee;
  - 2. More than 6 dispensers: Tier 6 fee.
- (c) Liquefied Products. Liquefied products refer to liquid measuring equipment kept or used for measuring the following liquids sold at retail.
  - 1. Liquefied Petroleum Gas Measuring Equipment: Tier 3 fee per meter;
  - 2. Liquefied Natural Gas Measuring Equipment: Tier 6 fee per meter.
- (d) Bulk Meters. The following fees apply to liquid measuring equipment kept or used for measuring liquids sold in non-retail transactions and liquid measuring meters mounted on vehicles.
  - 1. Liquefied Petroleum Gas Bulk Meter: Tier 3 fee per meter;
  - 2. Mass Flow Meter: Tier 11 fee per meter;
  - 3. Vehicle Tank Meter: Tier 3 fee per meter;
  - 4. Liquid Measuring Equipment – Wholesale,  $\leq$  100 gallons/minute: Tier 3 fee per meter. Fees under this part apply to equipment rated by its manufacturer as capable of measuring volumes dispensed at a rate less than or equal to 100 gallons per minute, or the metric equivalent;
  - 5. Liquid Measuring Equipment – Wholesale,  $>$  100 gallons/minute: Tier 4 fee per meter. Fees under this part apply to equipment rated by its manufacturer as capable of measuring volumes dispensed at a rate greater than 100 gallons per minute, or the metric equivalent.
- (2) Gaseous material measuring equipment. The following fees apply to devices kept or used for measuring gaseous materials sold in retail or non-retail transactions.

Compressed Natural Gas Measuring Equipment: Tier 6 fee per meter.
- (3) Scales. The following fees are payable based on the number of scales used or kept in commerce.
  - (a) Small Scales. Small scales mean weighing equipment rated by its manufacturer as capable of weighing up to 2,500 pounds, or the metric equivalent.
    - 1. 1 – 5 small scales: Tier 1 fee;
    - 2. 6 – 20 small scales: Tier 4 fee;
    - 3. More than 20 small scales: Tier 6 fee.
  - (b) Large Scales. Large scales mean weighing equipment rated by its manufacturer as capable of weighing 2,500 pounds or more, or the metric equivalent.

(Rule 0080-08-01-.02, continued)

1. 1 – 2 large scales: Tier 4 fee;
2. More than 2 large scales: Tier 6 fee.

**Authority:** T.C.A. §§ 4-3-203, 43-1-703, and 47-26-909. **Administrative History:** Original rule filed March 23, 2016; effective June 21, 2016.

**0080-08-01-.03 METROLOGY FEES [RESERVED].**