

CHAPTER 214

COMMERCIAL WEIGHING AND MEASURING DEVICES —
MOTOR FUEL PUMPS

Referred to in §214A.1A, 323.1, 323.3, 452A.31

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214.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Commercial weighing and measuring device*” or “*device*” means the same as defined in [section 215.1](#).

2. “*Department*” means the department of agriculture and land stewardship.

3. “*E-15 gasoline*” or “*E-15*” means the same as defined in [section 214A.1](#).

4. “*Motor fuel*”, “*retail dealer*”, “*retail motor fuel site*”, and “*wholesale dealer*” mean the same as defined in [section 214A.1](#).

5. “*Motor fuel blender pump*” or “*blender pump*” means a motor fuel pump that measures and dispenses a type of motor fuel that is blended to formulate two or more different classifications of that motor fuel.

6. “*Motor fuel dispenser*” or “*dispenser*” means equipment that is the part of motor fuel storage and dispensing infrastructure that includes mechanical or electrical systems that operate a motor fuel pump dispensing motor fuel from a motor fuel storage tank to the end point of the equipment’s nozzle.

7. “*Motor fuel pump*” means the part of motor fuel storage and dispensing infrastructure that is a meter or similar commercial weighing and measuring device used to measure and dispense motor fuel originating from a motor fuel storage tank, on a retail basis.

8. a. “*Motor fuel storage and dispensing infrastructure*” or “*infrastructure*” means equipment used to do any of the following:

(1) Store and dispense motor fuel.

(2) Store, blend, and dispense motor fuel.

b. “*Motor fuel storage and dispensing infrastructure*” or “*infrastructure*” includes but is not limited to a motor fuel storage tank, motor fuel pump or motor fuel blender pump, motor fuel dispenser, and associated pipes, hoses, nozzles, tubes, lines, fittings, valves, filters, seals, and covers.

9. “*Motor fuel storage tank*” or “*storage tank*” means the part of motor fuel storage and dispensing infrastructure that includes an aboveground or belowground container constituting a fixture used to store an accumulation of motor fuel.

10. “*Weighmaster*” means a person who keeps and regularly uses a commercial weighing and measuring device to accurately weigh objects for others as part of the person’s business operated on a profit, cooperative, or nonprofit basis.

[C73, §2065; C97, §3027; SS15, §3009-m; C24, 27, 31, 35, 39, §3258; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.1]

80 Acts, ch 1054, §20; 87 Acts, ch 93, §1, 2; 90 Acts, ch 1084, §1; 2006 Acts, ch 1142, §2, 26; 2008 Acts, ch 1169, §12, 30; 2012 Acts, ch 1095, §146, 147; 2014 Acts, ch 1104, §5; 2021 Acts, ch 149, §10; 2022 Acts, ch 1067, §10, 11

Referred to in §159A.11, 214A.1, 323.1, 422.11O, 422.11P, 422.11Y, 452A.2, 455G.30

Further definitions, see §189.1

Section amended and editorially internally renumbered

214.2 License.

A person who uses or displays for use any commercial weighing and measuring device, as defined in [section 215.1](#), shall secure a license from the department.

[SS15, §3009-m; C24, 27, 31, 35, 39, §3259; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.2]

[87 Acts, ch 93, §3; 90 Acts, ch 1084, §2](#)

Referred to in [§214A.35, 214A.36, 214A.37](#)

214.3 License terms and fees.

1. A license issued by the department for the inspection of a commercial weighing and measuring device shall expire on December 31 of each year, and for a motor fuel pump on June 30 of each year.

2. The license inspection fee on a commercial weighing and measuring device is due the day the device is placed into service. A license inspection fee shall be charged to the person owning or operating a commercial weighing and measuring device inspected in accordance with the class or section for devices as established by handbook 44 of the United States national institute of standards and technology.

3. The fee due under [this section](#) for a commercial weighing and measuring device shall be as follows:

a. Class S-III.

(1) Railroad track scales, one hundred six dollars and fifty cents.

(2) Other scales.

(a) 500 to 1,000 pounds capacity, sixteen dollars and fifty cents.

(b) 1,001 to 30,000 pounds capacity, thirty-one dollars and fifty cents.

(c) 30,001 to 50,000 pounds capacity, sixty-one dollars and fifty cents.

(d) 50,001 pounds capacity or more, eighty-four dollars.

(3) A minimum fee of forty-six dollars and fifty cents shall be charged for each vehicle or livestock scale.

b. Class S-II and S-III, nine dollars.

(1) Bench scale, nine dollars.

(2) Counter scale, nine dollars.

(3) Portable platform scale, nine dollars.

(4) Livestock monorail scale, nine dollars.

(5) Single animal scale, nine dollars.

(6) Grain test scale, nine dollars.

(7) Precious metal and gems scale, nine dollars.

(8) Postal scale, nine dollars.

c. (1) Grain moisture meters, twenty-four dollars.

(2) Additional meters at the same location, sixteen dollars and fifty cents.

d. Class M-I. One hundred-gallon prover.

(1) Bulk meters, nine dollars.

(2) Bulk liquid petroleum gas meters, fifty-two dollars and fifty cents.

(3) Bulk refined fuel meters, nine dollars.

(4) Mass flow meters, nine dollars.

e. Class M-II. Five-gallon prover.

(1) Slow flow meters, nine dollars.

(2) Retail motor fuel pump, four dollars and fifty cents.

[SS15, §3009-m; C24, 27, 31, 35, 39, §3260; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.3]

[87 Acts, ch 93, §4; 88 Acts, ch 1272, §21; 90 Acts, ch 1084, §3; 92 Acts, ch 1239, §36, 37; 2006 Acts, ch 1142, §83; 2021 Acts, ch 149, §11, 12](#)

Referred to in [§214.4, 215A.9](#)

214.4 Failure to pay license fee — removal from service.

1. If the department does not receive payment of the license fee required pursuant to

[section 214.3](#) within one month from the due date, the department shall deliver a notice to the owner or operator of the device. The notice shall state all of the following:

- a. The owner or operator is delinquent in the payment of the required fee.
- b. The owner or operator has fifteen days after receipt of the notice to pay the license fee required pursuant to [section 214.3](#).
- c. If the department does not receive payment of the license fee as required, the department may summarily tag and remove from service the commercial weighing and measuring device.

2. If the license fee is not received by the department within fifteen days after receipt of the notice by the owner or operator of the commercial weighing and measuring device, the department may tag and remove from service the device for which the license fee has not been paid.

[94 Acts, ch 1198, §43; 2021 Acts, ch 149, §13](#)

214.5 Inspection stickers.

For each commercial weighing and measuring device licensed, the department shall issue an inspection sticker, which shall not exceed two inches by two inches in size. The inspection sticker shall be displayed prominently on the front of the commercial weighing and measuring device and the defacing or wrongful removal of the sticker shall be punished as provided in [chapter 189](#). Absence of an inspection sticker is prima facie evidence that the commercial weighing and measuring device is being operated contrary to law.

[SS15, §3009-m; C24, 27, 31, 35, 39, §[3262](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.5]

[87 Acts, ch 93, §5; 90 Acts, ch 1084, §4](#)

214.6 Duties of weighmaster.

A weighmaster shall ensure that a commercial weighing and measuring device is correctly balanced to make true weights, and shall render a correct account to the person having weighing done.

[C73, §2065; C97, §3027; C24, 27, 31, 35, 39, §[3263](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.6]

[2007 Acts, ch 126, §42; 2021 Acts, ch 149, §14](#)

Referred to in [§214.8](#)

214.7 Registers.

Weighmasters are required to make true weights and keep a correct register of all weighing done by them, giving the amount of each weight, date thereof, and the name of the person or persons for whom done, and give, upon demand, to any person having weighing done, a certificate showing the weight, date, and for whom weighed.

[C73, §2066, 2067; C97, §3028; C24, 27, 31, 35, 39, §[3264](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.7]

Referred to in [§214.8](#)

214.8 Penalty.

Any weighmaster violating any of the provisions of [sections 214.6](#) and [214.7](#), shall be guilty of a simple misdemeanor, and be liable to the person injured for all damages sustained.

[C73, §2068; C97, §3029; C24, 27, 31, 35, 39, §[3265](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §214.8]

214.9 Self-service motor fuel dispensers.

A self-service motor fuel dispenser operating a motor fuel pump located at a retail motor fuel site may be equipped with an automatic latch-open device on the fuel dispensing hose nozzle only if the nozzle valve is the automatic closing type.

[C81, §214.9]

[87 Acts, ch 93, §6; 2006 Acts, ch 1142, §83; 2008 Acts, ch 1169, §13, 30; 2022 Acts, ch 1067, §12](#)

Section amended

214.10 Rules.

The department of agriculture and land stewardship may promulgate rules pursuant to [chapter 17A](#) as necessary to promptly and effectively enforce the provisions of [this chapter](#).
[C81, §214.10]

214.11 Inspections — recalibrations — penalty.

1. The department shall provide for annual inspections of all motor fuel pumps, including but not limited to motor fuel blender pumps, licensed under [this chapter](#). Inspections shall be for the purpose of determining the accuracy and correctness of motor fuel pumps. For that purpose the department's inspectors may enter upon the premises of any wholesale dealer or retail dealer.

2. Upon completion of an inspection, the inspector shall affix the department's seal to the measuring mechanism of the motor fuel pump. The seal shall be appropriately marked, dated, and recorded by the inspector. If the owner of an inspected and sealed motor fuel pump is registered with the department as a servicer in accordance with [section 215.23](#), or employs a person so registered as a servicer, the owner or other servicer may open the motor fuel pump, break the department's seal, recalibrate the measuring mechanism if necessary, and reseal the motor fuel pump as long as the department is notified of the recalibration within forty-eight hours, in a manner provided by the department.

3. A person violating a provision of [this section](#) is, upon conviction, guilty of a simple misdemeanor.

[87 Acts, ch 93, §7; 2006 Acts, ch 1142, §83; 2012 Acts, ch 1095, §148; 2021 Acts, ch 149, §15](#)
Referred to in [§214.12](#)

214.12 Inspections of motor fuel dispensers — E-15 access standard.

1. In conducting an inspection under [section 214.11](#), an inspector for the department shall determine if a retail dealer is advertising for sale and selling E-15 gasoline at a retail motor fuel site in compliance with the E-15 access standard as provided in [section 214A.32](#).

2. *a.* [This section](#) shall be implemented on January 1, 2023.

b. [This subsection](#) is repealed January 2, 2023.

[2022 Acts, ch 1067, §13](#)

NEW section