

1 SB282
2 191002-1
3 By Senators Whatley and Dial
4 RFD: Agriculture, Conservation, and Forestry
5 First Read: 06-FEB-18

2
3
4
5
6
7
8 SYNOPSIS: This bill would authorize the storage, sale,
9 and dispensing of agricultural products by weight
10 through vending machines.

11 This bill would require that the price per
12 unit of weight be clearly indicated on the machine
13 and would require that the machine satisfy all
14 applicable building, electrical, and fire code
15 requirements.

16 This bill would provide that the vending
17 machine would be subject to all state and local
18 taxation and would facilitate the reporting to an
19 owner or operator by a consumer of problems or
20 issues with the machine.

21 This bill would also require the Department
22 of Agriculture and Industries to routinely inspect
23 vending machines to ensure the accuracy of the
24 weights and measures.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

2
3 Relating to agricultural products; to define terms;
4 to authorize the storage, selling, and dispensing of
5 agricultural products by weight through vending machines; to
6 require compliance with applicable building, electrical, and
7 fire codes; to provide that sales from the machine are subject
8 to all applicable state and local taxes; to provide for the
9 reporting of issues or problems with the machine by a
10 consumer; and to require the Department of Agriculture and
11 Industries to routinely inspect vending machines for accuracy
12 in weights and measures.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. For the purposes of this act, the
15 following terms shall have the following meanings:

16 (1) AGRICULTURAL PRODUCTS. Oats, rye, shelled corn,
17 wheat, barley, cotton seed hulls, seeds, wild game feeds, rock
18 salt, and protein pellets.

19 (2) VENDING MACHINE. A freestanding machine that
20 makes, stores, and dispenses agricultural products for a price
21 upon demand of a consumer and without an attendant.

22 Section 2. Commencing on the effective date of this
23 act, an individual or business entity may store, sell, and
24 dispense agricultural products by weight from a vending
25 machine.

1 Section 3. (a) (1) Agricultural products shall be
2 sold by weight in pounds or another measure of weight clearly
3 indicated on the vending machine.

4 (2) The vending machine may accept cash or credit or
5 debit cards as a medium of exchange and the price per unit of
6 weight shall be clearly indicated on the vending machine.

7 (3) The vending machine shall satisfy all applicable
8 building, electrical, and fire code requirements.

9 (4) Sales of agricultural products from the vending
10 machine shall be subject to all applicable state and local
11 taxes.

12 (b) To facilitate the reporting of problems or
13 issues with the vending machine, the name of the owner or
14 operator of the vending machine and contact information of the
15 owner or operator, including a telephone number, shall be
16 clearly visible on the vending machine.

17 (c) If an agricultural product dispensed from the
18 vending machine is subject to other state laws or rules, the
19 owner or operator of the vending machine shall comply with
20 those laws or rules.

21 (d) (1) The Department of Agriculture and Industries
22 shall routinely inspect vending machines dispensing
23 agricultural products to ensure the accuracy of the machine's
24 weights and measures. A vending machine dispensing
25 agricultural products is not subject to certification by the
26 National Conference on Weights and Measures in order to

1 operate in this state and is not required to obtain an NTEP
2 Certificate of Conformance.

3 (2) A vending machine dispensing agricultural
4 products in operation prior to the effective date of this act
5 may continue to operate and shall be subject to an inspection
6 by the Department of Agriculture and Industries not later than
7 October 1, 2018.

8 (3) The Department of Agriculture and Industries may
9 adopt rules for the implementation and administration of this
10 act.

11 Section 4. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.