

# SENATE BILL No. 415

May 30, 2017, Introduced by Senator SCHMIDT and referred to the Committee on Agriculture.

A bill to amend 1964 PA 283, entitled  
"Weights and measures act,"  
(MCL 290.601 to 290.635) by adding section 28f.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 28F. (1) IF A PUMP FOR DISPENSING MOTOR FUEL FOR SALE AT  
2 A ROADSIDE RETAIL LOCATION INCLUDES A SCANNING DEVICE FOR READING A  
3 CUSTOMER PAYMENT CARD AS AN INTEGRAL PART OF THE PUMP, THE PUMP  
4 MUST INCLUDE A SECURITY MEASURE TO RESTRICT THE UNAUTHORIZED ACCESS  
5 OF CUSTOMER PAYMENT CARD INFORMATION. THE SECURITY MEASURE MUST  
6 INCLUDE 1 OR MORE OF THE FOLLOWING:

7           (A) PRESSURE-SENSITIVE SECURITY TAPE THAT IS IMPRINTED WITH A  
8 CUSTOMIZED GRAPHIC AND PLACED OVER THE PANEL OPENING LEADING TO THE  
9 SCANNING DEVICE SO AS TO RESTRICT UNAUTHORIZED OPENING OF THE

1 PANEL.

2 (B) A DEVICE OR SYSTEM TO RENDER THE PUMP OR THE SCANNING  
3 DEVICE INOPERABLE IF THE PANEL IS OPENED WITHOUT PROPER  
4 AUTHORIZATION.

5 (C) A MEANS FOR ENCRYPTING THE CUSTOMER PAYMENT CARD  
6 INFORMATION IN THE SCANNING DEVICE.

7 (D) A DEVICE TO REPLACE A MANUFACTURER-SUPPLIED STANDARD LOCK.

8 (E) ANY OTHER MEASURE APPROVED BY THE DEPARTMENT.

9 (2) IF THE OWNER OR AGENT OF THE OWNER OF A PUMP REQUIRED TO  
10 HAVE A SECURITY MEASURE UNDER SUBSECTION (1) RECEIVES A WRITTEN  
11 NOTICE OF NONCOMPLIANCE, HE OR SHE SHALL BRING THE PUMP INTO  
12 COMPLIANCE. IF THE VIOLATION IS NOT CORRECTED WITHIN 5 DAYS AFTER  
13 RECEIPT OF THE NOTICE OF NONCOMPLIANCE, THE DEPARTMENT MAY PROHIBIT  
14 THE USE OF THE PUMP UNTIL A PROPERLY FUNCTIONING SECURITY MEASURE  
15 IS INSTALLED ON THE DEVICE.

16 (3) AS USED IN THIS SECTION:

17 (A) "CUSTOMER PAYMENT CARD" MEANS A CREDIT OR DEBIT CARD OR  
18 OTHER CARD ENCODED TO PROVIDE AN ELECTRONIC MEANS FOR INITIATING A  
19 FUND TRANSFER FROM THE CUSTOMER'S DEPOSIT ACCOUNT OR FOR INITIATING  
20 ELECTRONIC BILLING.

21 (B) "PUMP" MEANS A DEVICE FOR MEASURING AND DISPENSING MOTOR  
22 FUEL USED TO PROPEL VEHICLES ON THE HIGHWAYS OF THIS STATE.

23 (C) "SCANNING DEVICE" MEANS A SCANNER, READER, OR ANY OTHER  
24 ELECTRONIC DEVICE THAT IS USED TO ACCESS, READ, SCAN, OBTAIN,  
25 MEMORIZE, OR STORE, TEMPORARILY OR PERMANENTLY, INFORMATION ENCODED  
26 ON THE MAGNETIC STRIP OR STRIPE OF A CUSTOMER PAYMENT CARD.

27 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.