

## CHAPTER 27

### INSPECTION OF METERS AND CIVIL LIABILITY

#### §2701. Meters inspected and sealed

**1. Inspection of meters.** No person may furnish for use any gas, water or electric meter in any municipality in which there is a duly appointed and qualified inspector of meters, unless the inspector has first inspected, approved, marked and sealed the meter.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**2. Testing accuracy of meters.** Every person furnishing gas, water or electric current to consumers shall provide and keep upon its premises a proper apparatus to be approved and stamped by the inspector of meters for the municipality for testing and proving the accuracy of all gas, water and electric meters by which apparatus every meter furnished to a consumer shall be tested.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW).

#### §2702. Appointment of inspectors

The officers of any municipality may annually appoint an inspector of meters, who shall: [PL 1987, c. 141, Pt. A, §6 (NEW).]

**1. Term.** Serve for one year or until another is qualified in the inspector's stead, at a salary determined by the municipal officers; and

[RR 2021, c. 1, Pt. B, §407 (COR).]

**2. Duties.** Have charge of the inspection of all gas, water and electric meters furnished for use in the municipality.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). RR 2021, c. 1, Pt. B, §407 (COR).

#### §2703. Duties of inspectors

The inspector of meters shall, upon written application as provided in section 2704 by a consumer of gas, water or electricity in the municipality inspect and ascertain the accuracy of any gas, water or electric meter. When the meter is found or made correct, the inspector shall stamp or mark it with a suitable device. This device shall be recorded in the office of the municipal clerk where the inspector was appointed. [PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW).

#### §2704. Application for inspection; removal of faulty meter; expense of inspection

**1. Application for inspection.** If a consumer applies in writing to the municipal clerk for the inspection of that consumer's meter, and deposits with the clerk the fee fixed by the municipal officers for this service, the inspector shall inspect and test the meter.

[RR 2021, c. 1, Pt. B, §408 (COR).]

**2. Removal of faulty meter.** If the meter is found to be incorrect to the extent of 4% if an electric meter or 2% if a gas or water meter, to the prejudice of the consumer, the inspector shall order the

public utility furnishing the meter to remove the meter and to install in its place a meter which has been tested, approved, marked and sealed by an inspector of meters.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**3. Expense of inspection.** Upon finding an incorrect meter, the inspector shall give a certificate to the consumer, showing the result of the test. Upon presenting the certificate to the municipal clerk, the consumer shall receive the fee deposited with the clerk, and the public utility furnishing the meter shall bear the expense of the inspection and shall pay to the treasurer of the municipality the fee required. All fees collected by the municipal clerk or treasurer shall be placed to the credit of the municipality to be used for municipal purposes.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). RR 2021, c. 1, Pt. B, §408 (COR).

#### §2705. Civil liability for damages to meters

**(REPEALED)**

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1993, c. 106, §3 (AMD). PL 2007, c. 553, §1 (RP).

#### §2706. Civil liability for utility services wrongfully obtained

A person may not obtain utility services by deception, threat or force or any other means designed to avoid due payment for the services that the person knows are available only for compensation and a person may not, having control over the disposition of utility services of another to which the person knows the person is not entitled, divert such utility services to the person's own benefit or to the benefit of some other person who the person knows is not entitled to the utility services. A person who violates this section is liable in a civil action to the utility providing the service for: [PL 2007, c. 553, §2 (NEW).]

**1. Cost of service.** The cost of the utility services wrongfully obtained or diverted plus interest on the value of those services based on an annual interest rate of 5%;

[PL 2007, c. 553, §2 (NEW).]

**2. Other costs.** All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability under this section; and

[PL 2007, c. 553, §2 (NEW).]

**3. Civil penalty.** A civil penalty not to exceed \$3,000 due and payable to the utility for each violation of this section.

[PL 2021, c. 318, §9 (AMD).]

A person who is liable under this section may not pass on the cost of that liability, including any civil penalty assessed, to any tenants of that person who received diverted or wrongfully obtained utility services due to the actions of the liable person. [PL 2007, c. 553, §2 (NEW).]

#### SECTION HISTORY

PL 2007, c. 553, §2 (NEW). PL 2021, c. 318, §9 (AMD).

#### §2707. Civil liability for damages to utility property

A person may not intentionally, knowingly or recklessly damage, destroy or tamper with property of a utility having no reasonable grounds to believe that the person has a right to do so if such conduct creates a risk of interruption or impairment of services rendered to the public or causes a substantial

interruption or impairment of services rendered to the public. A person who violates this section is liable in a civil action to the utility owning the property affected for: [PL 2007, c. 553, §3 (NEW).]

**1. Cost of repair or replacement.** The cost of repair or replacement of the utility property, as necessary;  
[PL 2007, c. 553, §3 (NEW).]

**2. Other costs.** All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability under this section; and  
[PL 2007, c. 553, §3 (NEW).]

**3. Civil penalty.** A civil penalty not to exceed \$3,000 due and payable to the utility for each violation of this section.  
[PL 2021, c. 318, §10 (AMD).]

#### SECTION HISTORY

PL 2007, c. 553, §3 (NEW). PL 2021, c. 318, §10 (AMD).

#### §2708. Civil liability for utility property wrongfully obtained

A person may not obtain or exercise unauthorized control over the property of a utility with intent to deprive the utility of the property. A person who violates this section is liable in a civil action to the utility owning the property affected for: [PL 2007, c. 553, §4 (NEW).]

**1. Cost of replacement.** The cost of replacement of the utility property, as necessary;  
[PL 2007, c. 553, §4 (NEW).]

**2. Other costs.** All other reasonable costs to the utility, including attorney's fees and costs of undertaking and completing the investigation resulting in a determination of liability; and  
[PL 2007, c. 553, §4 (NEW).]

**3. Civil penalty.** A civil penalty not to exceed \$3,000 due and payable to the utility for each violation of this section.  
[PL 2021, c. 318, §11 (AMD).]

#### SECTION HISTORY

PL 2007, c. 553, §4 (NEW). PL 2021, c. 318, §11 (AMD).

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