



**State Directors Breakfast
Questions and Responses
Regarding
NTEP Issues
2005**

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For the past several years, the Scale Manufacturers Association and the National Conference on Weights and Measures have hosted meetings of the State Weights and Measures Directors at the regional Weights and Measures association venues throughout the year. At these meetings, the same set of NTEP interpretation questions are asked. The purpose of the exercise is to exchange information on how the issues are dealt with in each jurisdiction, and to encourage NTEP Standardization among the States and other weights and measured jurisdictions.

Each year we have asked for candidate questions from SMA, NIST/OWM, NCWM, and State Directors. The candidate questions were balloted and scored by degree of interest. We then selected the top three or four questions to ask that year.

We have published the composite of the responses to the 1997 through 2004 questions. They are available for review or download as PDF Files on the SMA Web Site at [http://www . scalemanufacturers.org](http://www.scalemanufacturers.org).

This document covers the three questions asked at three of the four regional W&M Conferences in 2005. Unfortunately, this year, we had no record of the responses at the Northeast Weights And Measures Association.

This document is provided as a free service by the Scale Manufacturers Association in support of the continuing education effort required to insure the success of the National Type Evaluation Program.

2005 STATE DIRECTORS. BREAKFAST NTEP QUESTIONS

QUESTION ONE:

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Once the NCWM Conformity Assessment Program is in place, do you envision your inspectors doing anything different and, if so, what?

QUESTION TWO:

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The VCAP committee has created a sub-committee to develop an Initial Verification Process. Do you agree that initial verification testing should be more complete than subsequent verification testing? If you agree, are you interested in participating in the development and/or the testing of this process?

QUESTION THREE:

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A distribution company, located outside your jurisdiction, sells a price-computing scale to a user within your jurisdiction. The scale purchaser is instructed by documentation included with the scale to contact a local scale service company or weights and measures inspector for information on placing the scale in commercial use. What other requirements, if any, do you place on the distribution company.

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QUESTION ONE - 2005

Once the NCWM Conformity Assessment Program is in place, do you envision your inspectors doing anything different and, if so, what?

Central Weights and Measures Association Responses

C1 – We're not exactly sure what the Conformity Assessment Program is and, therefore cannot answer the question. Our program is having some growing pains and we expect the importance assigned to conformity assessment will change when our administration understands it.

C2 – We don't feel that we will do anything different. We already conduct thorough initial inspections.

C3– We don't anticipate anything changing.

C4 – We conduct a thorough initial verification now. We're finding it increasingly difficult to do what we do now because of continued funding cuts.

C5 – We will do some things differently. We know that we will need additional test weights for initial verification of vehicle scales. There will be more scrutiny to ensure the device is properly evaluated and that it is like the device that NTEP evaluated. We would like to think that our inspectors are already doing this. We hope that a means will exist to deal, on a national basis, with problems that are found during initial verification.

C6 – We would like to say that we will not do anything differently. We envision a more stringent test probably using a checklist for new devices. There will probably be changes in our procedures but we won't know for sure until the program is fully defined and in place.

C7 – We will wait to see what is involved and what it includes before determining if any changes will be made.

C8 – It is difficult to get a good answer without first knowing exactly what the program will entail.

Southern Weights and Measures Association Responses:

S1 – No, we don't see ourselves as doing anything different.

S2 – We don't anticipate doing any additional testing.

S3 – I suspect that our inspectors will probably be a little more thorough. It will be a more complete test.

S4 – We probably won't do anything different.

S5 – Like the others, we don't anticipate doing anything differently.

S6 – No, we won't be doing anything different.

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S7 – We probably won't do anything differently.

S8 – We'll probably pay a little more attention to the initial test.

S9 – We don't anticipate doing anything differently but we will have to study it a little closer.

S10 – No, no changes.

S11 – Based on what was presented in July, no. We'll take a closer look at a new device installation.

S12 – We probably won't be doing anything additional. Initial verification should be more complete.

Western Weights and Measures Association Responses:

W1 – We don't envision doing anything much different than what we do now. We will still conduct an initial and subsequent verification. We rely on the initial verification process to ensure compliance and will continue to do so.

W2 – We won't do anything different. Our state has a strong infrastructure of county and city inspectors who do a thorough job of conducting the initial verification. We feel it will be business as usual.

W3 – We won't be doing anything different from what we currently do in our initial verification process.

W4 – I don't anticipate doing anything different.

W5 – We don't envision our inspectors doing anything different.

W6 – Our inspectors will not do anything differently. I don't see any changes in the way we do business.

W7 – We will continue to require an NTEP CC and a Placed in Service Report for every new commercial device installed in our state. No, we won't be doing anything different.

W8 – No, we will not be doing anything different.

W9 – No, nothing different.

W10 – We will continue to handle initial verification of devices as we do now. Nothing new.

W11 – No, nothing new.

Northeast Weights and Measures Association Responses: (Not Available)

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QUESTION TWO - 2005

The VCAP committee has created a sub-committee to develop an Initial Verification Process. Do you agree that initial verification testing should be more complete than subsequent verification testing? If you agree, are you interested in participating in the development and/or the testing of this process?

Central Weights and Measures Association Responses

C1 – We are working to enforce existing statutes through increased field work.

C2 – We require a set of drawings for scales of 2000 pounds capacity or more before installation is begun. We have a privatized program which requires technicians to be trained and tested every two years.

C3 – Yes, initial verification should be more thorough than subsequent verification. We possibly could be interested in assisting in the development of this process.

C4– Initial verification is most important since, once approved, you have to live with it. We might be interested in helping.

C5 – We are participating in this work but are concerned that we are only carrying 21,000 pounds of test weights which may not be sufficient for initial verification of vehicle scales. Often heavy capacity scales are calibrated with a smaller load which can result in the scale being out of calibration when subjected to heavier loads. Technicians may be forced to use additional test weights for calibration.

C6 – Absolutely, yes.

C7 – Yes and yes.

C8 – It is important to remember that you are dealing with two issues – installation and production meets type. Conformity assessment is really directed toward the device manufacturer.

Southern Weights and Measures Association Responses:

S1 – We will cooperate, if we can.

S2 – We would be willing to help anyway we can.

S3 – Provided resources allow, we would be willing to participate.

S4 – We would work along as well as we can.

S5 – Don't know that we could do a lot more testing.

S6 – Probably not.

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S7 – We'd be glad to help if we can.

S8 – Yes, it would be a good opportunity for additional training.

S9 – Not sure if we'd be able to participate.

S10 – Not until we have formally adopted NTEP.

S11 – Probably. There may be more production meets type problems.

S12 – Not sure whether we would participate or not.

Western Weights and Measures Association Responses:

W1 – Yes, we agree that initial verification testing should be more thorough.

W2 – We also agree that initial verification testing should be more thorough.

W3 – Yes, initial verification testing should be more thorough. Yes, we would be willing to participate in the development of this testing.

W4 – Yes, the testing should be more complete and, yes, we would be willing to participate in developing the test procedures further.

W5 – Yes, we rely on the NTEP CC to give assurance of compliance during initial verification on those items that cannot be checked in the field. When differences are found in the field, the responsible lab is contacted and we examine the modification in the field.

W6 – We agree that initial verification is most important and would like to do more. No, we are not able to participate in the development process.

W7 – We review the NTEP CC and compare it with the Placed in Service Report. We do not check beneath the deck of a vehicle scale to verify that the correct load cells are in place. Yes, we would be willing to participate.

W8 – Initial verification is most critical. Our Placed in Service Reports must include the NTEP CC for all applicable components of the weighing system. We review these reports and certificates to ensure that the device meets the requirements. We probably spend twice as much time on initial verification. We perform this review before beginning the device test to ensure that it is compliant first then we conduct the test. No, we would not be able to participate. We are concerned that our field inspectors are not adequately trained in the detailed characteristics of what actually passed in the NTEP lab.

W9 – Yes, initial verification receives more attention. Yes, we would be willing to participate.

W10 – Yes, initial verification requires more work. Yes, we would be willing to participate.

W11 – Yes, we agree that initial verification is most important. We would probably not participate in development of the program since we are a relatively small jurisdiction.

Northeast Weights and Measures Association Responses: (Not Available)

State Directors' Breakfast Questions and Responses Regarding NTEP Issues

QUESTION THREE - 2005

A distribution company, located outside your jurisdiction, sells a price-computing scale to a user within your jurisdiction. The scale purchaser is instructed by documentation included with the scale to contact a local scale service company or weights and measures inspector for information on placing the scale in commercial use. What other requirements, if any, do you place on the distribution company.

Central Weights and Measures Association Responses

C1 – At this point, none. We have found that some of the requirements we have had are not enforced. Used scales are a problem.

C2 – We don't require anything at this time. The service company takes care of it.

C3 – We find these all the time. We require a placed in service report. We have no authority over the distribution company.

C4– We require a placed in service report but have no authority over the distribution company.

C5 – The burden is placed on the device owner. It is a long standing problem and has gotten worse with internet sales. We try and educate users within our state to check with us before purchasing the scale.

C6 – We also place the burden on the device owner and try to educate our consumers to check with us before making a purchase of a commercial device. It is illegal in our state to knowingly sell a non-legal-for-trade scale.

C7 – It is illegal in our state to knowingly sell a non-legal-for-trade scale in our state but the burden is on the purchaser of the device.

Southern Weights and Measures Association Responses:

S1 – The scale service company must be licensed within the state and a test report is required for all scales of 30 pounds or more in capacity.

S2 – We require that the scale be tested by an authorized scale company.

S3 – There would be no other requirements for the distribution company. The scale owner is the responsible party.

S4 – No other requirements.

S5 – No other requirements.

S6 – No other requirements.

S7 – No other requirements.

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S8 – No other requirements other than a placed in service report.

S9 - No other requirements. The purchaser is the responsible party.

S10 – No other requirements.

S11 – The service tech laws require the seller to be responsible and registered within the state. The notice in the box is sufficient but we are concerned about what happens if the scale is not compliant. In this case, we'd go to the seller.

S12 – We have no requirements for the out-of-state distributor. The last few months we have received calls from a number of purchasers who have bought scales out of state.

Western Weights and Measures Association Responses:

W1 – The difficulty with this situation is that normally the scale vendors are out of state. We would like to see legislation requiring notification of the sale of commercial devices. We publish information stating that scales used in commerce must have NTEP Certificates of Conformance.

W2 – We would not take on the distribution company in a case like this. The end user or service company who installed the device would be the responsible party.

W3 – Our state law says that any company that sells or services a commercial device must be licensed by the state and submit a Placed in Service Report. It doesn't, however, always happen.

W4 – The notification by the distributor for the purchaser to contact the local weights and measures department would be a good thing. New businesses in our state are notified of scale registration requirements. We cannot have jurisdiction over all of the distributors because so many are out of state.

W5 – We cannot have control over distributors. We try to educate those who purchase the scale as to what requirements there are for commercial use of the device.

W6 – We tell the consumer to ask for a NTEP Certificate of Conformance and to verify it exists before making the purchase. We recommend that they make their purchase through a local service company and tell them the questions to ask of the vendor.

W7 – This is difficult to enforce. When we're contacted by potential device purchasers, we give them the questions to ask the vendor. i.e. does the device have a NTEP CC?

W8 – We hold the service company accountable and require a NTEP CC for installation and commercial use.

Northeast Weights and Measures Association Responses: (Not Available)



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