

Responses to the 2011 W&M Directors Questions
(Non-Attributable Version)

1. **Most states have received requests from scale companies about converting mechanical vehicle scales to fully electronic using the existing load-receiving element. NCWM Publication 14 requires this type of conversion undergo a type evaluation to obtain a new NTEP CC. However, it has been reported that some manufacturers/distributors are implying to local scale companies that a new NTEP CC is not necessary if the appropriate NTEP components (load cells, junction boxes, indicators) are used in the conversion. What is your state's policy regarding this type of conversion?**

NORTHEAST WEIGHTS AND MEASURES ASSOCIATION

We would look to the Office of Weights and Measures at NIST for guidance with these types of conversions. We are unaware of this practice taking place in our state.

We do not require a NTEP CC and address them on a case-by-case basis. We will conduct our own evaluation.

We have not seen these types of conversions recently taking place in our state. We will accept an NTEP Certificate of Conformance or we can issue a "one of kind" certificate.

We don't have an official policy regarding these types of conversions. We would always review any requests for such a conversion.

We would not allow a conversion of this type without an NTEP CC. It has been years since we have seen this type of conversion. We would require a conversion kit with NTEP approval. We also can issue a "one of a kind" State certificate.

CENTRAL WEIGHTS AND MEASURES ASSOCIATION

We require that this type of conversion have an NTEP CC. We are unaware of this practice taking place in our state.

We do not require a NTEP CC as long as NTEP-certified components are used. We do, however, need to be contacted prior to this type of conversion taking place.

We have allowed old lever systems to be replaced. We also require advance notification before such work takes place.

We don't see these types of conversions taking place in our state. We would always review any requests for such a conversion.

You must submit a request for a variance in writing for such a conversion. We would normally approve such a request contingent upon the acceptable performance of the scale.

We would not allow this type of conversion without an applicable NTEP CC.

We require a NTEP CC. We would not allow this type of conversion without an appropriate NTEP CC for it.

We would not allow a conversion of this type without an NTEP CC.

We have received this type of request and have treated them on a case-by-case basis.

WESTERN WEIGHTS AND MEASURES ASSOCIATION

We believe that conversion kits are an excellent way to prolong the life of the scale. We require a NTEP Certificate of Conformance for each model being converted and want to see the installation steps listed on the NTEP CC covering the conversion.

We believe that conversions of this type require a NTEP Certificate of Conformance although there may be some alternatives. Refer to section 8 of NCWM Publication 14.

We would look at each scale conversion on a case-by-case basis. After completion of the conversion, the scale would have to meet the appropriate tolerances and we would likely test the scale more frequently until it had proved itself to perform correctly.

We would require that the converted scale meet NIST Handbook 44 and all appropriate tolerances and requirements.

We would expect that the NTEP Certificate of Conformance be issued for the specific model being converted. Normally, we would require testing to ensure the scale performs correctly.

The converted scale must meet the requirements of NIST Handbook 44.

We require a NTEP Certificate of Conformance for the conversion and would test it more frequently to ensure that the scale performs within the applicable tolerances.

SOUTHERN WEIGHTS AND MEASURES ASSOCIATION

This is common practice in our state. As long as NTEP listed components are used in the conversion, we will accept it. If not, a NTEP test will be required.

Conversion kits must be covered under a NTEP Certificate before the conversion can take place. If no kit is available and the scale manufacturer asks for permission to do the conversion, we will ask for submission of documentation from the manufacturer attesting to the viability of the conversion and, if acceptable, we would approve it.

We have allowed this type of conversion in the past but are currently re-evaluating this policy. We are concerned about the condition of the scale deck and want to make sure it is sufficiently strong before the conversion takes place.

We would allow it only if there is a NTEP-listed conversion kit.

We would not have a problem with it as long as the conversion is performed by state licensed personnel using NTEP-listed components.

We would allow it but would keep close watch on the performance of the scale.

We would allow it.

We would allow it.

The conversion kit must be listed on a NTEP certificate. We have allowed it in the past but closely monitored the performance.

We would allow it.

- 2. Effective January 1, 2011, Section U.R.2.6. Approaches was changed in the Scale Code of NIST Handbook 44. This section now requires a temporary scale (a scale installed for six months or less) to meet the same approach requirements (length, width and 10 foot level portion of the approach adjacent to the scale) as a permanent scale except for the construction material(s). If you have adopted the 2011 edition of Handbook 44, do you have any specific requirements for temporary scales? Do you require a re-test of a portable vehicle scale each time it is moved?**

NORTHEAST WEIGHTS AND MEASURES ASSOCIATION

We adopt NIST HB 44 by reference. We would only be concerned if the scale is used within a custody transfer application.

We have adopted and enforce the 2011 edition of NIST HB 44. A temporary or portable scale must be retested each time it is moved.

We have adopted and will enforce the 2011 edition of NIST HB 44.

We have adopted the 2011 edition of Handbook 44 and enforce its requirements. Since we have just purchased a weight truck we cannot guarantee that we could retest a scale each time it is moved.

We haven't adopted the 2011 edition of Handbook 44 yet but do require that the scale be tested each time it is moved. We are currently using 2009 NIST HB 44.

CENTRAL WEIGHTS AND MEASURES ASSOCIATION

We have adopted the 2011 edition of the handbook and have our own approach requirements policy allowing the use of any durable material. The scale must be retested each time it is moved.

Our statutes require that the scale meet the most current version of NIST Handbook 44. We require a new test each time the scale is moved.

We do not require concrete for the approach material but we do require a retest each time the scale is moved.

We haven't adopted the 2011 edition of Handbook 44 yet. We require a placed in service report each time the scale is moved.

We also have not adopted the 2011 edition of NIST Handbook 44. We would accept a steel ramp for a portable scale but we require a monthly test of portable vehicle scales.

We have adopted the 2011 edition of Handbook 44 and enforce its requirements. The scale would have to be tested each time it is moved.

We haven't adopted the 2011 edition of Handbook 44 yet but do require that the scale be tested each time it is moved.

We adopt the current version of Handbook 44 each year. We require a retest by the state each time the scale is moved.

We have adopted the 2011 edition of Handbook 44 and have specific construction requirements that require a durable material be used for the approach. Our requirements are more stringent than those of Handbook 44 and these may be revised within the next few years. We require a retest each time the scale is moved.

WESTERN WEIGHTS AND MEASURES ASSOCIATION

We adopt the most current version of Handbook 44. We require that the scale installation meet these specifications and have had no resistance to enforcing this policy. We perform a test after each move.

We normally adopt the most recent version of Handbook 44 but not all sections of the document. Section UR.2.6. Approaches is one that is not automatically adopted. (This may have been the result of an attempt to minimize land usage.) We require a re-test of the scale each time it is moved.

We adopt the current version of Handbook 44 by reference. We do not require asphalt approaches for temporary installations but the scale must meet the applicable performance requirements.

We do adopt the latest version of Handbook 44 and will enforce the approach requirements. We require a placed in service report each time the scale is moved.

We haven't adopted the latest version of Handbook 44 but, when it is adopted, we will require compliance with the approach requirements. A report is required each time the scale is moved.

We do adopt the latest version of Handbook 44 and enforce the current approach requirements. We have encountered no problems in doing so.

We adopt the latest version of Handbook 44 each year. We require a placed in service report each time the scale is moved but not always able to conduct our own test. We have had no issues in doing so.

SOUTHERN WEIGHTS AND MEASURES ASSOCIATION

We currently work under the 2005 edition of Handbook 44. We would not require a re-test if the scale has been previously tested within the last twelve months.

We have not adopted the 2011 edition yet. If the scale were designed to be a portable scale, a re-test is not required although we would recommend it.

We use the current version of Handbook 44 and would require a re-test.

We have adopted the 2011 edition of Handbook 44. Moving of the scale would require a new test.

We adopt the current version of Handbook 44 and would require a new test each time the scale is moved.

We would require a re-test.

We will require a new test and placed in service report.

We would require a new test along with a placed in service report.

We have adopted the 2011 edition of Handbook 44 and moving the scale will require a new test and placed in service report.

We have also adopted the 2011 edition of Handbook 44 and would require a re-test and placed in service report.

3. Other than funding, what is the biggest challenge you face in your state's weights and measures program?

NORTHEAST WEIGHTS AND MEASURES ASSOCIATION

The constant change in technology makes it difficult to maintain an effective staff. We are starting to see the transition of new fuels on the market and this adds additional dollars to provide adequate inspections.

We are now dealing with a lot of aging equipment which leads to a loss of production. We're having some difficulty with succession planning since we have a hiring freeze in place. Our metrologist is retiring and it will be difficult to find and train a person for this position and maintain our laboratory capabilities.

It is hard not to relate our problems to the lack of adequate funding. Trying to attract qualified inspectors with the current salary structure is difficult plus the time necessary to train an inspector can take up to three years to cover the full range of inspection activities.

I can't answer that question.

We are having a difficult time filling vacancies within our department. When new employees are added it is long process to provide the training necessary to make them effective an effective weights and measures inspector.

CENTRAL WEIGHTS AND MEASURES ASSOCIATION

Our governor and legislature are taking a new money-savings approach to programs. A large number of our people are retiring; several of them this July. We anticipate that we will have a difficult time replacing them. We are operating in an environment where the public worker is viewed as a bad guy. This adds tension to our relationship with the public and that has made us less effective.

Over the last five years, we have averaged 2,000 consumer complaints each year. These complaints are typically fuel related and, as a result, has caused us not to be able to utilize some of our other equipment as much as we would like. The recent rise in gasoline prices has exacerbated this problem in spite of the fact that we only find 0.67% of the dispensers out of compliance.

Our inspectors cover over 6500 scales which makes it difficult for them to go out on re-tests and that has resulted in a 35% reject rate on these tests. It makes it difficult to remedy field installation problems when they have been in place for a year or more. We're having some difficulty with succession planning. Violation rates increase as inspection frequency declines. We need to educate the public on our activities to show statistically why what we do is important.

We have a new Management Information System coming out that needs attention.

Demographics. Our new administration understands the importance of personnel. We are losing experience as our older employees retire.

The attitude throughout the state. Our customers are resistive to what they perceive as intervention in their business. This may be the result of the increase in their costs of doing business.

Our problems are hard not to relate to the lack of adequate funding. Maintaining personnel under high turnover rates is difficult and requires constant training of new personnel. Moving of our offices and changes it brings causes even more personnel problems.

It's never boring. Our director supports our division. We have some IT issues. We are fortunate to have four of our six heavy capacity test trucks to be new and free of maintenance and repair problems.

We are fortunate to have our administration support our program. We are getting people re-hired. We hope to have our old people back or, if not, there will be some training problems. The public doesn't know what we do and needs to be educated about the value of our services.

WESTERN WEIGHTS AND MEASURES ASSOCIATION

Our biggest problem is the lack of infrastructure within our state. There will always be problems in testing devices located in remote areas. The transport of test weights to these sites is always a problem. New legislation will require scale owners to maintain test weights at the scale site or bring the weights to the site in time for testing. State-owned test weights have been strategically placed around the states to facilitate testing.

One of our bigger problems is the loss of experienced staff. This has been accelerated by retirements and budget cuts. We were forced to transfer experienced staff to other areas.

Perhaps our biggest problem is staff. Over the next few years we will loose about half to retirements. Indian reservations in our state are exempt from our regulations and that creates a problem. Scales are being installed in the reservations and we have no control over them. We have also had difficulty in obtaining the necessary standards for required tests of fuel dispensers, diesel and LPG.

Technology, equipment and support of your administration are our biggest problems.

One of our biggest problems is trying to keep up with rapidly changing technology, specifically audit trails.

The growth within our state places increased demands on our staff. We need the support from our administration and other stakeholders within our programs.

The lack of recognition for the services we provide is a problem for us. We expect our staff to be stable for the next few years. We have already experienced a growth in new requirements and are working with service agencies.