



SCALE MANUFACTURERS ASSOCIATION

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2024 SMA Questions for State Directors

These questions will be asked at each of the four regional Weights and Measures Meetings in 2024. State replies will be collated and published without attribution on the SMA website to enable participants to compare their positions on these issues with those in their region and in other regions.

1. If a new Point of Sale system was found installed in your state and the software in that system had a inactive CC would you allow that system to be placed into service?

Background : A State rep called NTEP saying they had a software in use in a new store and the software had a inactive CC. The manufacturer stated they are copying the software and no longer making changes so they felt it could be inactive.

Alabama	N/A
Alaska	Inactive – Can across this issue – if they have a CC they allow it.
Arizona	N/A
Arkansas	Would accept the system even with the software CC being inactive
California	They would not allow it. New installation must be an open and active CC. Feels software needs to be controlled and the paper trail for the current version. To trace and see why it changed is impossible.
Colorado	CO would not accept the POS System to be used: 1) Accessing or obtaining the audit trail to verify the published version of the software would likely be impossible due to the “printed” version visible on the POS system would likely not match the certificate when they download the software to the system.

	2) The Inactive status of the software would lead to questions why it is not being maintained yet being published in new systems.
Connecticut	Depends, probably not, depending on the accuracy could trigger conversation
Delaware	Would allow/accept the system
Florida	N/A
Georgia	Would <u>not</u> allow/accept the system
Hawaii	N/A
Idaho	N/A
Illinois	The state would let it go.
Indiana	N/A
Iowa	Would let it go if the software was uploaded to the POS system and was sitting on the shelf before the CC became inactive. If POS had the software uploaded after the inactive date, they might not allow to be put into service
Kansas	N/A
Kentucky	Would <u>not</u> allow/accept the system: Software would need an active CC
Louisiana	Would allow/accept the system
Maine	N/A
Maryland	Would allow/accept the system: As long as the software version matches the latest version on the inactive certificate. If changes were made to the software version, then the state would not accept.
Massachusetts	N/A
Michigan	N/A
Minnesota	Echoed Iowa's comments
Mississippi	Would <u>not</u> allow/accept the system: The software would need an active certificate for the state to

	allow (also made mention, with being on the NTEP committee, the committee is looking into this issue as well)
Missouri	Echoed Iowa's comments
Montana	Montana does not have the resources for POS.
Nebraska	Would not allow an inactive CC Software to be use in POS system
Nevada	Would allow installation but track down why CC is inactive.
New Hampshire	Would not know since service companies are certifying, if something is found in audit would call NTEP
New Jersey	Does not check software for CC, however expired CC is ok if not updates on devices
New Mexico	Needs more information on the question. Past used to allow it however moving forward they want a current CC.
New York	Echo NJ, follow up with NTEP if found and if its working
North Carolina	Would allow/accept the system: As long as the software had no chances done.
North Dakota	Echoed Iowa's comments
Ohio	Echoed Iowa's comments
Oklahoma	Yes
Oregon	In practice they would allow it. They would have looked into it though to ensure it was covered. Regardless of inactive.
Pennsylvania	Would not take device immediately take out of service but investigate, just because CC is expired and device is working accurately it would be considered no issue
Puerto Rico	N/A
Rhode Island	N/A
South Carolina	Would allow/accept the system
South Dakota	N/A
Tennessee	Would <u>not</u> allow/accept the system
Texas	Would <u>not</u> allow/accept the system: Need active certificates

Utah	N/A
Vermont	Echo others, software CC not check. Vermont is not a NTEP state , will become one on 7/1. If there is an issue, research the issue and all is good if there no harm to customer its not an issue
Virginia	Would <u>not</u> allow/accept the system: Need active CC's
Washington	N/A
West Virginia	Would allow/accept the system
Wisconsin	Echoed Iowa's comments
Wyoming	They would allow it
District of Columbia	No comments at this moment/will email answer very soon.
Virgin Islands	N/A

2. Is your state/jurisdiction interested in utilizing the NCWM Testing for Registered Service Agents (RSA's)?

Background: Currently, there are several exams available from NCWM for RSA's. NIST HB 44 and HB 130-Basic and Small Capacity Weighing Sysytems. There is also one for Retail Motor Fuel Devices. There is one being developed for Large Capacity Scales which will be completed shortly. SMA was wondering the interest in having these exams accepted and utilized uniformly across the states.

Alabama	N/A
Alaska	They do not have a registered service program but would encourage it.
Arizona	N/A
Arkansas	State already accepts other state testing certificates for the state/NCWM testing is not mandatory but state is pushing to have this testing in place
California	Currently they administer their own but are exploring more options. To improve the level it may be a min requirement they have to also pass the NCWM exam
Colorado	<p>CO W&M will be implementing policies that will require certification/proof of experience for the RSA technicians These policies will require the RSA to specify the devices they will be servicing. CO is very interested in and agrees with the RSA exams provided by NCWM. In CO's opinion the exams provide the uniformity needed across the states and provides an opportunity for the technicians to have consistent training and knowledge.</p> <p>CO will be accepting the NCWM exams, other states/jurisdictions certificates, and proof of experience/competency in writing by the technician (example is a person who's serviced scales for 30 years can submit a letter of qualification).</p>
Connecticut	Does not require exams, in house exams availble, would do it industry was asking for it

Delaware	State is interested in using NCWM testing for RSA's.
Florida	N/A
Georgia	If all the states adopted the using of NCWM testing, state will move toward the NCWM testing. If not across the all the states, probably won't go toward this
Hawaii	N/A
Idaho	N/A
Illinois	Not Interested
Indiana	N/A
Iowa	Very interested, but Iowa requires some state code. If exams cover state codes Iowa would be interested in using
Kansas	Interested, but the state would need to do some changes with their statutes and other state codes to allow the exams
Kentucky	Interested: if other states go this route as well
Louisiana	State is interested in using NCWM testing for RSA's: State already has their own testing, but more interested in the NCWM testing hope the testing would be based off the Handbooks Only concern is would the inspector pass the testing
Maine	N/A
Maryland	State is interested in using NCWM testing for RSA's: State already offers inhouse proctors, but prefers NCWM exams because these will have better content for testing. Encouraging the testing
Massachusetts	N/A
Michigan	N/A
Minnesota	Echoed Iowa, state has their own exams that have to be

	passed, but if National exams include state portions, they would move towards these National Exams
Mississippi	The state doesn't require any testing as of now May move toward this NCWM testing in the future and finds this testing a very good idea.
Missouri	Exploring the idea of these exams/ have taken some of the scale exams. Will continue to look into these exams as they are developed
Montana	Yes, it is our intent to utilize a "National Standard" to aid in uniformity across agencies.
Nebraska	Will allow these exams in the state and have their own state exams needing to be passed
Nevada	They would allow it since it has a CC.
New Hampshire	Very interested in using RSA exams
New Jersey	Is interested in using RSA exam. Need to figure out how to make it work, need to modify regulations to allow. Must have tests or exams in other languages to be able to use.
New Mexico	Built into their app all techs in the state. They also need to be able to collect on the fees. They say they can't do it unless they collect a fee for that. Thinks it's a great tool but there are still areas needing more. Also if the tech fails and they take it away and give training on. Program would need to be develop farther.
New York	Does not register service testing, does not utilize
North Carolina	State is interested in using NCWM testing for RSA's Testing is not required in the state, but have been looking into the testing and would look into NCWM testing
North Dakota	Not currently utilizing at this time/state has training requirements for permits but would look at using the exams as another tool
Ohio	Fully on board/state is moving right into using these exams and didn't have to change any language in legislature to implement these exams/July 1 st will be the start in the state
Oklahoma	Currently we are not utilizing the NCWM Testing for Registered Service Agents (RSA's)? But would recognize their testing results from another state as acceptable qualifications.
Oregon	Have problems with service agents. Equipment not installed properly. Techs not trained to new equipment. This would help

	curve that, interested in the exams for showing competency but the pathway is not there yet. Need more authority and there is value in having the certification. Work in progress and is very interested
Pennsylvania	Does not require service exams, proof of experience is ok, might use it if legislation allows.
Puerto Rico	N/A
Rhode Island	N/A
South Carolina	The state would need to make law changes/long proce
South Dakota	N/A
Tennessee	Same ideas of Mississippi and Georgia. Also, might run into Law changes along the way
Texas	State is interested in using NCWM testing for RSA's; State already requires inspectors to pass exams (state exams?) Interested in the NCWM testing, but might run into Law changes along the way as well
Utah	N/A
Vermont	Does not do testing, has RSA but does not test, supports test program.
Virginia	State is interested in using NCWM testing for RSA's: The state will need to have code changes in the legislature as well, but interested in making these changes.
Washington	N/A
West Virginia	No testing is required at this time, and don't believe there would be any need for law changes to go to this NCWM testing, but don't know how the state officials would appreciate these changes without some discussion. Never gave a stand if interested or not interested.
Wisconsin	Yes, currently using CWMA exams but once National exams are ready, they will be moving into using these exams. Only concern id the differences of the National exams compared to the CWMA exams
Wyoming	Has their own testing currently. Program is not clean and

	has issues currently. A lot techs come from out of state. This is a great opportunity because if they tech is out of state but is registered with NCWM with CC's then they would be approved.
District of Columbia	No comments at this time, will come back with stand soon.
Virgin Islands	N/A