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STATE OF IDAHO

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF AGRICULTURE

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DIRK KEMPTHORNE
Governor
PATRICK A. TAKASUGI
Director

Docket No. FHWA-1997-2979 - 51

Written Testimony of
Tom W. Schafer
Chief

Idaho State Department of Agriculture
Bureau of Weights & Measures
2216 Kellogg Lane
Boise, ID 83712
208-332-8690

The ISDA Bureau of Weights & Measures is charged with enforcing the laws in this state dealing with weighing and measuring. Our statutes defines the words weights and/or measures as to mean all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories associated with any or all such instruments and devices. In addition the Bureau is charged with inspection and testing of (certifying) commercially used weights and measures to ascertain if they are correct. Idaho has adopted by reference the latest edition of the National Institute of Standards and Technology (NIST) Handbook 44, Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices, as the required standard for commercial weighing devices. Idaho has also adopted the National Type Evaluation Program (NTEP), which ensures that weighing equipment meets NIST Handbook 44 requirements.

The ISDA Bureau of Weights & Measures does not dictate what type of scales shippers in the moving and storage industry use, as long as they are commercial type scales, and are therefore capable of being certified. There are a myriad of devices made today that fall short of the requirements for commercial use, but are manufactured for estimation, internal accounting, sorting or other non-commercial applications. The National Type Evaluation Program (NTEP) issues a Certificate of Conformance (COC) to companies who submit a device for evaluation that ensures buyers and W&M officials that the device meets the requirements for commercial equipment. The Federal Register, Volume 63, No. 94, May 15, 1998 states "The public has alerted the FHWA to a few motor carriers who have begun to use on-board trailer scales. These are generally non-certified scales and expressly prohibited". ISDA Bureau of Weights & Measures is obligated to take the position that if an on-board scale has been type approved, that it would be acceptable for determining shipping charges. Such a device would have been issued a COC by NTEP and would have to be tested by the local W&M official to ensure that it was performing within specified tolerances to be certified. There is at least one on-board weighing system for Semi-Trailer use (Weigh-Tronix, model STS-50, 50,000x20lb.) that has a COC on the market today.

My concern is not that on-board weighing systems are being used, but that non-commercial type on-board weighing systems are being used. I am also concerned that manufacturers are using this process to try to circumvent the requirements being met by other scale manufacturers. I would encourage Air-Weigh or Hi-Tech Scale to work to get their products approved through the NTEP system.

The National Conference on Weights and Measures (NCWM) along with NIST advisers have determined the requirements for commercial scales. The tolerances and performance requirements have been set to prevent either the buyer or seller from being damaged in transactions. These standards are recognized not only in every jurisdiction in this country but throughout the world. I would urge you to ensure any rule change continues to require shipping and storage charges be determined on a commercial scale-what ever form that scale may be, a vehicle scale or on-board scale system.