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New Hampshire
Department of Agriculture,
Markets & Food

FHWA-97-2979-55

DEPT. OF TRANSPORTATION
DOCKETS

Stephen H. Taylor, Commissioner

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April 10, 2000

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To Whom It May Concern:

Please include into the record the attached comments regarding Docket No. ~~SHWA-1997-2979~~ as my written testimony supporting the current regulation requiring the use of certified scales for independent shippers by the moving and storage industry.

If you have any questions, or if I can be of further assistance in explaining the benefits to the independent shipper by requiring the use of certified scales, please feel free to contact me at (603) 271-3700.

Sincerely,



Stephen H. Taylor, Commissioner

Docket No. FHWA-1997-2979

**Written Testimony of
Stephen H. Taylor
Commissioner of Agriculture, Markets & Food
State of New Hampshire
PO Box 2042
Concord, NH 03302-2042
Telephone (603) 271-3700**

The Department of Agriculture, Markets & Food in the State of New Hampshire is charged with administering the Weights and Measures Act. Under this Act, I am responsible to promote the general objective of accuracy in the determination and representation of quantity in commercial transactions.

It is my understanding that the requested on-board scales convert air-spring air pressure to a weight display. The scale then determines how much weight per pound of air pressure the suspension is supporting by comparing empty and loaded vehicle weights with air pressure required to support the weight. The result is an indication of weight of each axle group to within **200-300** pounds of an accurate platform scale.

Since this application is being used in a commercial arena, it is my opinion that on-board scales are not in the best interest of consumers and competitors. The potential error of **200-300** pounds per axle group is unacceptable, as well as its "incorrect" status under **NIST Handbook 44**.

The use of suitable legal-for-trade scales in commerce has been an evolving process. This state has joined with the rest of the states to ensure uniformity in these matters. We only allow weighing or measuring devices that meet the requirements of **NIST Handbook 44** to be used commercially in this state.

Legal-for-trade scales are designed to maintain equity and fairness in the market place and promote consumer confidence. Not only are they important for legal compliance, but also for accuracy in billing customers. Allowing anything else would not be just.