

Division of Measurement Standards
8500 Fruitridge Road
Sacramento, California 95826-4808

DMS NOTICE
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April 17, 2001

Discard: Retain

TO WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Statewide Public Scale Baseline Survey

The Division of Measurement Standards has completed a statewide survey of licensed weighmasters who operate as public scales and weigh the public for hire. The survey was done between the months of December 2000 and February 2001.

Our Weighmaster/Petroleum Enforcement Branch randomly selected 46 locations and purchased undercover 73 weighmaster certificates. The following attachments outline the parameters used and provide the detailed results of the survey.

If you have any questions regarding this notice, please contact David Lazier, Chief, Weighmaster/Petroleum Enforcement Branch, at (916) 229-3044.

Sincerely,

Mike Cleary
Director
(916) 229-3000

Attachments

**MARKETPLACE EVALUATION
CALIFORNIA DIVISION OF MEASUREMENT STANDARDS**

PUBLIC SCALES BASELINE SURVEY

DECEMBER 2000

DIVISION OF MEASUREMENT STANDARDS STATEWIDE PUBLIC SCALES BASELINE SURVEY

A statewide random survey to determine the baseline compliance levels for Weighmaster's providing public weighing services was conducted within California from December 2000 through February 2001.

Scope of the Survey

The Division of Measurement Standards Weighmaster/Petroleum Branch staff purchased weighmaster certificates at randomly selected licensed locations throughout the State who weigh the public for hire. Branch investigators drove large undercover trucks loaded with scrap metal into each location during each shift that the location operated. A predetermined script was used during each request for a weighmaster certificate in order to provide a uniform grading method. The violations were categorized as either serious or technical as identified in the chart labeled "Violation Categories."

Location Sample Selection

Forty-six (46) locations were randomly selected from a statewide public scale population of two hundred seventeen (217) locations. Seventy-three (73) individual weighmaster certificates were purchased.

Inspection Procedure

The randomly selected locations were visited during each shift that they were open for business. Two investigators were assigned to each undercover truck which was loaded with scrap metal consisting of garage door springs and/or hinges. A predetermined script was used in which one investigator remained in the truck cab, in plain view of the deputy weighmaster, and the other investigator entered the scale house asking for a weight of the vehicle and load. During each certificate purchase the deputy was asked to use the tare weight written on the side of the truck and to increase the gross weight. It was also made evident to the deputy weighmaster that another person was in the cab of the truck when the investigator in the scale house went out to the truck to either get money for payment or find out where the load of scrap was being delivered. If the deputy weighmaster asked that the person in the truck cab get out, the request was complied with. Also, no mention of inserting a tare weight or increasing the gross weight was made after the first request.

Survey Results

The following charts summarize the results of the baseline survey. The results should be useful to weights and measures officials in determining which areas of the marketplace to focus their enforcement activities on.

CERTIFICATES FACILITATING FRAUD

Total number of certificates purchased	73	
	Certificates in Violation	Percent Noncompliance
Weighed with a person in the vehicle	41	56.16%
Entered a false tare weight	15	20.55%
Entered a false gross weight	2	2.74%
Left unused weight spaces by failing to indicate "Tare Only" or "Gross Only"	8	10.96%

CERTIFICATES CONTAINING TECHNICAL ERRORS

Total number of certificates purchased	73	
	Certificates in Violation	Percent Noncompliance
Information clear and legible	0	0.00%
Date of issuance missing	2	2.74%
"Gross Only" or "Tare Only" included but not in the correct space	22	30.14%
Incomplete signature of deputy weighmaster	22	30.14%
Commodity not sufficiently identified	26	35.62%
Owner, agent, or consignee not identified	31	42.47%
Vehicle identification missing	10	13.70%
Incorrect weighmaster certificate legend	17	23.29%
Weighmaster name on certificate did not agree with license	22	30.14%
Weighing location not identified or incorrect	5	6.85%

WEIGHMASTER LICENSING VIOLATIONS

Total number of licensed locations visited	46	
	Violations	Percent Noncompliance
Expired weighmaster license	3	6.52%
Unlicensed deputy(ies) weighing	14	30.43%
Issuing certificates with another weighmaster's name on the certificate	1	2.17%
Possessing another weighmaster's certificates	1	2.17%

VIOLATION CATAGORIES

Certificates Facilitating Fraud

Serious	§12718(e)	Issued false weighmaster certificate
	§12724	Weighing with a person in the vehicle
	§12718(e)	Issued false weighmaster certificate
	§12721	Entered a gross or tare weight without weighing
	§12713(b)	Issued an incomplete certificate
	§12718(h)	Issued a certificate with omitted weights by failing to eliminate unused weight spaces

Certificates Containing Technical Violations

Technical	§12714(a)	Weighmaster certificate legend incorrect
	§12714(b)	Weighmaster name on certificate does not agree with license
	§12714.5	Certificates not clear and legible
	§12715(a)	Date of issuance missing or incorrect
	§12713(b)	Issued an incomplete certificate
	§12715(b)	Weighing location missing or incorrect
	§12713(b)	Issued an incomplete certificate
	§12715(c)	Incomplete signature of deputy weighmaster
	§12713(b)	Issued an incomplete certificate
	§12715(d)	Commodity not sufficiently identified
	§12713(b)	Issued an incomplete certificate
	§12715(f)	Owner, agent, or consignee not identified
	§12713(b)	Issued an incomplete certificate
	§12715(l)	Vehicle not identified
	§12713(b)	Issued an incomplete certificate
	§12735	“Gross Only” or “Tare Only” missing [§ 4410 (CCR)]
	§12713(b)	Issued an incomplete certificate

Weighmaster Licensing Violations

Serious	§12703	Weighmaster license expired
	§12703	Unlicensed deputy weighmaster
	§12713(b)	Issued an incomplete certificate
	§12714(b)	Issuing weighmaster certificates using another weighmaster’s name
	§12718(g)	Possessing another weighmaster’s certificates