

Weights & Measures Act 1985

GUIDANCE NOTES FOR PUBLIC WEIGHBRIDGE OPERATORS

1. Providing a Service to the Public

There must be a GENUINE reason if a weighbridge operator refuses to carry out a weighing requested by a member of the public.

2. Operation of Weighbridge

Weighbridge operators should fully understand how to use the equipment, including balancing methods, locking devices, chart changes and ticket printers.

3. Methods of Weighing

- a) The machine should always be properly balanced, especially in wet or dirty conditions. Weighing plates should be kept clean whenever possible.
- b) Ensure that the vehicle is completely on the weighing plate.
- c) The driver and all passengers should be out of the vehicle and standing in a position where they can be seen not be interfering with the weighing plate.
- d) *Double weighing has been prohibited since 1 September 1991.*
- e) A ticket should be given to each person demanding a weighing and should always include the following:
 - i) Time and date of weighing
 - ii) Registration number of vehicle
 - iii) Description of its load
 - iv) Name and address of person requesting weighing
 - v) The result of the weighing.

ONLY THE WEIGHTS YOU HAVE DETERMINED YOURSELF SHOULD BE RECORDED ON THE PUBLIC WEIGHBRIDGE TICKET. UNDER **NO CIRCUMSTANCES** SHOULD A TARE WEIGHT, DETERMINED BY SOMEBODY ELSE, BE USED.

TICKETS SHOULD NOT BE HANDED TO ANY DRIVERS IF THEY CONTAIN BLANK SPACES.

If only the gross weight was ascertained, crossed lines should be put through the other spaces and a note made on the ticket "GROSS WEIGHT ONLY". Likewise, if only the tare weight was ascertained, state on the ticket "TARE WEIGHT ONLY".

The results of more than one weighing, carried out by the same operator, can only be used on the same ticket if those weighings were carried out in a 24 hour period, e.g. tare weight in the morning, gross weight in the afternoon or vice versa. The times of each weighing should be clearly indicated on the ticket.

It should be advised that if any error is made on a ticket at the time of first weighing, the ticket should be cancelled and a replacement issued. If the mistake is made at the time of the second weighing, the operator should make a neat alteration and initial or sign the alteration.

Weighbridge Tickets

It is the employer's responsibility to keep a copy of all public weighbridge tickets for up to two years to enable a Trading Standards Officer to examine them if required.

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CERTIFICATE OF PUBLIC WEIGHBRIDGE OPERATORS

Recommended Procedures

The exercise is intended to test the competence of candidates to perform a duty of public weighbridge operators. In addition to testing the knowledge and capability of each person, the exercise doubles as an advisory and training session in the finer points and potential pitfalls. It is advisable that not more than four candidates be tested at any one time.

When a request is made for us to carry out the certification of weighbridge operators we should advise the people concerned that they are required to have a general knowledge of the operation of the weighbridge, weighing procedures and precautions.

It must be remembered that on many occasions companies require certification of back-up staff for use during holdings, illnesses and lunch times. It is these people who vary rarely use the weighbridge and therefore it is important that they are given an opportunity to use the weighbridge prior to our visits.

POINTS TO BE COVERED DURING TEST

Providing a Service

The person should be reminded that they are required by law to carry out the weighing (Section 20(2)(a)). Further remind them that we keep a list of Public Weighbridges and send people direct to them. They should also be advised that they are giving the service to both the buyer and seller of the goods weighed and therefore the accuracy of their work is important. A favour to one of the parties is a disfavour to the other.

Operation of Weighbridge

The person should be tested in their ability to use the weighbridge, including locking devices, chart changes, ticket printers and balancing methods.

Method of Weighing

To ensure that the weighing is carried out fairly as requested by Section 20(2)(b) they should ensure that the plate is clean, the weighbridge is properly balanced and the vehicle is completely on the plate. The driver and all passengers, including Alsatian dogs, etc, should be off the vehicle and standing where they can be seen.

Double Weighing

Double weighing has been prohibited since 1 September 1991.

Recording the Information

They should be reminded that the law requires them to issue a ticket to the person who requests the weighing (Section 20(2)(c)).

The information on the ticket should include by law (Section 20(2)(d)) the time and date of weighing, the identification of the vehicle and its load, and the name of the haulier.

The person requesting the weighing by law (Section 20(4)) has to give his/her name and address, which should be recorded on the ticket.

Only the weights they have determined themselves should be recorded on the public weighbridge tickets they issue.

UNDER NO CIRCUMSTANCES SHOULD A TARE WEIGHT DETERMINED BY SOMEBODY ELSE BE USED.

Tickets should not be handed to any drivers if there are any blank spaces on them. If only the gross weight was ascertained, crossed lines should be put through the other spaces and a note made on the ticket "Gross weight only". Likewise if only the tare weight was ascertained state on the ticket "Tare weight only".

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The results of more than one weighing, carried out by the same operator, can only be used on the same ticket if those weighings were done within a 24 hour period, e.g. tare weight in the morning, gross weight in the afternoon, or vice versa.

Errors on Tickets

It should be advised that if any error is made on a ticket at the time of the first weighing, the ticket should be cancelled and a replacement issued. If the mistake is made at the time of the second weighing, the operator should make a neat alteration and initial or sign the alteration.

Overloaded Vehicles

Bearing in mind the responsibility both to weigh vehicles presented at the weighbridge and to supply a record of the weight, the public weighbridge operator bears no legal responsibility for the excess weight of any vehicle weighed by him/her. In fact the nearest available weighbridge defence is aimed to encourage drivers to check their weight. The weighbridge operator can have no control over where the vehicle has come from or goes to after weighing. However, if he/she knows a particular vehicle is overloaded, it may be suggested that the ticket is endorsed accordingly. It should be further explained to them that we do check on tickets, and can take action for overloaded vehicles in relation to public weighbridge tickets.

Employers Responsibilities

The employer is required under Section 20(5) to keep for up to two years the public weighbridge tickets. This enables a Trading Standards Officer, on production of his credentials, if requested, to examine those records.

Other Responsibilities

It should be advised that vehicles must be accepted for weighing unless a good reason prevails, e.g. weighbridge error, non removal of passengers, failure to provide required information.

Mathematics Check

It is important to ascertain that the person can add and subtract to ascertain the net weight of a vehicle after being given the gross and tare weights. Many may say they always use calculators although this should not be accepted. Calculators are not always available and batteries have been known to run out. If a person is unable to work out correctly the answers for the example given, they should not be issued with a certificate. Additional sums could be set if a person is a borderline case.

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PART III

PUBLIC WEIGHTS OR MEASURING EQUIPMENT

- 20 (1) Subsection (2) below shall apply where any article, vehicle (whether loaded or unloaded) or animal has been brought for weighing or measuring by means of weighing or measuring which is available for use by the public and is provided for the purpose of weighing or measuring articles, vehicles or animals of the description in question.
- (2) If any person appointed to attend a weighing or measuring by means of equipment in question:
- a) Without reasonable cause fails to carry out the weighing or measuring on demand;
 - b) Carries out the weighing or measuring unfairly;
 - c) Fails to deliver to the person demanding the weighing or measuring or to his agent a statement in writing of the weight or measurement found; or
 - d) Fails to make a record of the weighing or measuring including the time and date of it, and, in the case of the weighing of a vehicle, such particulars of the vehicle and of any load on the vehicle as will identify that vehicle and that load, he shall be guilty of an offence.
- (3) If in connection with any such equipment as is mentioned in subsection (1) above:
- a) Any person appointed to attend to weighing or measuring by means of the equipment delivers a false statement of any weight or measurement found or makes a false record of any weighing or measuring; or
 - b) Any person commits any fraud in connection with any, or any purported, weighing or measuring by means of that equipment, he shall be guilty of an offence.
- (4) If, in any case of a weighing or measuring or any article, vehicle or animal carried out by means of any such equipment as is mentioned in subsection (1) above, the person bringing the article, vehicle or animal for weighing or measuring on being required by the person attending to the weighing or measuring to give his name and address, fails to do so or gives a name or address which is incorrect he shall be guilty of an offence.
- (5) The person making any weighing or measuring equipment available for use by the public (in this section referred to as the responsible person) shall retain for a period of not less than 2 years any record of any weighing or measuring by means of that equipment made by an person appointed to attend to the weighing or measuring.
- (6) An inspector, subject to the production of his credentials if so requested, may require the responsible person to produce any such record as is mentioned in subsection 5 above for inspection at any time while it is retained by him.
- (7) If the responsible person fails to retain any such record as is mentioned in subsection 5 above in accordance with that subsection or fails to produce it in accordance with subsection 6 above he shall be guilty of an offence.
- (8) If any person wilfully destroys or defaces any such records as is mentioned in subsection 5 above before the expiration of two years from the date when it was made, he shall be guilty of an offence.

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ANNEX B: SUBJECT MATTER OF THE TESTS

1. The need to have basic computer literacy and a knowledge of PC based weighing instruments.
2. The need to keep the instrument in correct balance or at gross zero for electronic or mechanical conversion instruments, and the method by which the balance or zero is maintained.
3. The meaning of the terms 'gross', 'tare' and 'net' weight and the ability to record a weighing correctly.
4. The operation of the instrument, ticket printing and recording mechanisms.
5. Common faults likely to lead to inaccuracy in weighing in particular, badly or incorrectly located loads, fouling between the load receptor and surround, flooding of pit, dirt on load receptor.
6. The precautions to be observed in weighing vehicles: in particular, proper visibility of the load receptor; proper positioning of the vehicle; no person to be on vehicle during weighing.
7. The need for level approaches to the weighbridge load receptor where a double weighing is permitted (not permitted for trade transactions) and the need to record separately each axle weighing.
8. The responsibilities imposed on keepers of public weighing equipment by section 20 of the Act.
9. The making out of documents: in particular dates and times of weighing always to be inserted; particulars of tare and gross weighings not to be entered in a single document unless the interval between the two weighings was less than twenty-four hours, documents not to be handed to drivers (or otherwise issued) with blank spaces for recording particulars of tare weights or net weights (i.e. if there are no weight entries in one or more spaces provided for that purpose, the space or spaces should either be crossed through or cancelled by inserting words such as 'not ascertained' or 'vehicle not tared'); all entries and cancellations on document to be made indelibly; alterations to be avoided.
10. The requirements for keepers of public weighing equipment to record each weighing and to retain the records for at least two years.