



# Public Service Commission

## State of North Dakota

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April 17, 2014

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Subject: Pit-Less Truck Scale Installations

Dear Mr. Anderson,

Thank you for your March 27, 2014 letter expressing concerns about pit-less truck scales.

Fixed pit-less scales installed in North Dakota must comply with North Dakota Administrative Code chapter 69-10-02 and NIST Handbook 44 (1999 Edition). As you know, these regulations establish the standards for foundations, approaches and clearance.

The North Dakota Public Service Commission is not notified in advance of scale installation and does not conduct inspections prior to scale installation. Unfortunately, it is possible for a scale to be installed that does not meet North Dakota requirements, however, a scale that does not meet North Dakota requirements should not be certified for commercial service when tested by a North Dakota registered service company.

The Commission has authority to grant a variance from scale installation requirements upon request by the scale operator. To date the Commission has granted variances on a case-by-case basis for approaches and clearance, but I am not aware of any variance requests concerning frost-line pier installation requirements.

Recent variances granted by the Commission have been on a temporary basis and are conditioned upon quarterly testing/recertification of the scale, usually for a period of two years. This testing/recertification provides scale performance information over time to help the Commission determine whether the scale can be operated and maintained to meet required tolerance and access. Scales that do not meet required tolerance are tagged non-commercial. More frequent testing during the temporary variance period negates financial incentive for cutting corners in scale installation.

If you have any questions, feel free to call me at 701-328-4077 or email to [pfahn@nd.gov](mailto:pfahn@nd.gov).

Best regards

Patrick Fahn

Director, Compliance and Competitive Markets Division

CC: Julie Quinn, Director, Weights and Measures Division

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**Response to March 27, 2014 letter requesting input  
regarding pit-less truck scales**

Public Service Commission

Patrick Fahn