3.17 Weigh Scale Operations

Introduction

The Department of Government Services and Lands is responsible for a number of Government’s front line services to the public including: protection of consumers; regulation of the business and financial services industries; management of the Province’s Crown land resource; driver and vehicle registration; maintenance of Provincial commercial, Crown land and vital statistics registries; and operation of the Government Service Centres. Figure 1 details the Department’s expenditures for the year ended 31 March 2000.

Figure 1

Department of Government Services and Lands
Expenditures
Year Ended 31 March 2000
($ Millions)

<table>
<thead>
<tr>
<th></th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive and Support Services</td>
<td>$ 1.2</td>
</tr>
<tr>
<td>Commercial and Corporate Affairs</td>
<td>3.0</td>
</tr>
<tr>
<td>Government Services</td>
<td></td>
</tr>
<tr>
<td><strong>Motor Vehicle Registration</strong></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>$ 1.6</td>
</tr>
<tr>
<td><strong>Driver Examinations and Weigh Scale Operations</strong></td>
<td>2.0</td>
</tr>
<tr>
<td>Licence and Registration Processing</td>
<td>2.6</td>
</tr>
<tr>
<td>National Safety Code</td>
<td>1.1</td>
</tr>
<tr>
<td>Permitting and Inspection Services</td>
<td>8.3</td>
</tr>
<tr>
<td>Other Services</td>
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</tr>
<tr>
<td>Lands</td>
<td>3.9</td>
</tr>
<tr>
<td>Department Total</td>
<td>$ 24.2</td>
</tr>
</tbody>
</table>

Source: 2000 Public Accounts
The Motor Registration Division (the Division) provides services based on the operation of vehicles in the Province. Such services include driver licensing, vehicle registration, enforcement of various related legislation, and the operation of the Provincial weigh scale inspection stations.

Operation of the Provincial weigh scale inspection stations is designed to monitor vehicles for compliance with various legislated highway safety standards. Vehicles which do not meet these standards pose a risk to both the safety of the public travelling on the Province’s highways and to the highway infrastructure itself.

The primary focus of inspections by weigh scale inspectors is commercial motor vehicles having a gross vehicle mass in excess of 4,500 kilograms. There are an estimated 10,000 commercial motor vehicles registered in the Province which fall into this category. A commercial motor vehicle is defined as a vehicle designated to carry goods and includes a bus, school bus, truck, tractor, and other motor vehicles designed for commercial use. In addition to Provincially registered vehicles, there are a significant number of out-of-Provence commercial motor vehicles which are subject to Provincial legislation when travelling within the Province. Information on the number of out-of-Provence commercial motor vehicles travelling within the Province was not available.

There are five permanent weigh scale inspection stations in the Province located at intervals along the Trans Canada Highway. These stations are located at Foxtrap, Goobies, Grand Falls-Windsor, Pynn’s Brook and Port aux Basques. In addition, there are six two-person inspection teams which provide weigh scale operations along the Province’s road system using highway enforcement vehicles and portable weigh scales.
A total of 32 weigh scale inspector positions are in place throughout the Province. The weigh scale inspectors can be assigned to permanent stations or portable weigh scale teams.

Weigh scale inspectors are responsible for inspection and enforcement activities related to several legislative authorities, including the *Highway Traffic Act* and the *Dangerous Goods Transportation Act*. There are a significant number of regulations under the *Highway Traffic Act* including those governing: vehicle weight and dimensions; hours of service; load security; carrier safety; maintenance standards; driver requirements; licensing and equipment; insurance; trip inspections; and regulations for specific vehicles such as buses and ambulances.

Of the $2.0 million in expenditures reflected in Figure 1 for Driver Examinations and Weigh Scale Operations, $1.1 million relates to vehicle inspections and weigh scale operations. These expenditures primarily relate to staff salaries and transportation. Maintenance and upkeep costs of the weigh scale inspection stations are mainly funded through the Department of Works, Services and Transportation.

We completed our review of weigh scale operations in November 2000. The review included interviews with Department officials and the identification and analysis of existing processes in place at the Motor Registration Division. Our objectives were to determine:

- how the weigh scale program contributes to fulfilling the responsibilities of the Motor Registration Division in relation to highway safety in the Province;
- whether the Motor Registration Division has established policies and procedures to reflect the vehicle weighing and inspection processes;
- whether the practices in place for weigh scale operations are adequate in addressing program objectives;
- whether the Motor Registration Division has established performance indicators and monitoring procedures for use in evaluating weigh scale operations; and
- whether management receives information necessary for planning, decision making, control, and ensuring compliance with legislative responsibilities.
3.17 Weigh Scale Operations

Conclusions

The Department of Government Services and Lands operates five permanent weigh scale inspection stations in the Province located at intervals along the Trans Canada Highway. These stations are located at Foxtrap, Goobies, Grand Falls-Windsor, Pynn’s Brook and Port aux Basques. In addition, there are six two-person inspection teams which provide weigh scale operations along the Province’s road system using highway enforcement vehicles and portable weigh scales. Weigh scale inspectors are responsible for commercial vehicle inspection and enforcement activities related to several legislative authorities including the *Highway Traffic Act* and the *Dangerous Goods Transportation Act*.

Operation of the Provincial weigh scale inspection stations is designed to monitor vehicles for compliance with various legislated highway safety standards. Vehicles which do not meet these standards pose a risk to both the safety of the public travelling on the Province’s highways and to the highway infrastructure itself.

The administration of weigh scales activities is not adequate to ensure that the highway safety objectives of the program are being met. There is no planning process in place to ensure the use of available resources is optimized in addressing these objectives. As well, considerable judgement is exercised by weigh scale inspectors in the performance of their duties in terms of scheduling shifts, the inspection process, enforcement of legislative provisions, and documentation of their work. Compounding this is the fact that supervision of weigh scale operations is lacking and reporting is virtually non-existent. In particular, our review disclosed the following:

- There is no plan available which addresses activities for weigh scale inspectors. The current deployment of permanent inspection stations and portable inspection teams has been in place for several years and there has been no assessment carried out to determine whether current activities are optimal in achieving highway safety objectives.

- While the Department has indicated to the public that the permanent weigh scale inspection stations are open “24 hours per day”, this is not the case. The hours during which permanent and portable weigh scale operations are operational contain significant gaps, many of which are predictable and could facilitate the avoidance of enforcement activities. Our review of one of the five permanent weigh scale stations indicated that the station was closed 1,811 hours of a total of 8,784 in 1999-00 or 20% of the total hours in the year. On a daily equivalent basis, this would equate to being closed a total of 75 days during the year. The number of
hours closed ranged from 55 hours or 7% of the time in January 2000 to 286 hours or 38% of the time in July 1999.

- There is insufficient guidance to inspectors to assist in the performance of their duties. For example, there is no policy manual to provide direction to weigh scale inspectors. Although numerous memoranda have been prepared over the years, there is no master listing available to ensure the completeness of the memoranda retained by individual inspectors.

- Although a computerized weight measurement system was in place at permanent weigh scale stations visited during the review, considerable discretion is used by inspectors in the use of this system for enforcement purposes. As well, the system does not in itself detect whether a vehicle is over allowable weight limits. The computer system retains a record of the weight for each vehicle being weighed; however, it does not at present have the capability to determine whether the vehicle being weighed is within the permitted weight for its configuration. Accordingly, the system is severely limited in terms of monitoring activities at the weigh scale inspection stations. Also, the system is maintained on computers at the inspection stations that are not currently accessible by the Motor Registration Division for management information purposes.

- Weigh scale inspectors have several options available to them in dealing with instances of non-compliance with authorities identified when weighing commercial vehicles or when completing vehicle inspections. These include a verbal warning, a written warning, or a ticket summons. In addition, weigh scale inspectors may require commercial vehicles to offload a portion of their cargo to reduce weight as necessary. We found that these penalties are not consistently applied by weigh scale inspectors. As a result, this does not provide for consistency of enforcement for all commercial vehicles weighed at the permanent weigh scale stations throughout the Province.

- The legislative requirement which is posted at the permanent weigh scale inspection stations is for all commercial vehicles to stop if they have a gross mass in excess of 4,500 kilograms. In practice, commercial vehicles such as busses which are in excess of the 4,500 kilograms do not adhere to this requirement. As well, in practice, empty commercial vehicles which do exceed the 4,500 kilograms are permitted to by-pass the weigh decks at the permanent weigh scale stations; however, these vehicles are not examined to ensure that they are empty.
There is no reporting on weigh scale operations to assess whether these operations have contributed to the overall objectives of highway safety enforcement. This is in part due to a lack of available management information which can be used to assess the performance of weigh scale operations.

The Department of Government Services and Lands has an overall strategic plan which does identify a number of long-term operational objectives relating to the Motor Registration Division. Two of these long-term objectives are relevant to the Division’s weigh scale operations.

One objective is the development of a formal policy and procedures manual by 2003. This manual is being completed in segments; however, the area of weigh scale operations had not been addressed at the date of our review. The second objective is the planned establishment of a communications network between all permanent inspection stations and Divisional offices by 2003.

There is no plan available which addresses activities for weigh scale inspectors. For example, we would expect the Division to prioritize the vehicles to inspect, the procedures to be followed and, in the case of portable weigh scale inspections, the geographical areas to focus on. Based on discussions with Division officials, the current deployment of permanent inspection stations and portable inspection teams has been in place for several years and there has been no assessment carried out to determine whether current activities are optimal in achieving highway safety objectives. Summary information such as statistics on commercial vehicle activity, enforcement coverage by area, and infraction comparisons by area, is not available to assist in the deployment of resources.

This has particular relevance for patrol responsibilities of portable weigh scale inspectors in that there is no conscious effort to ensure all highway areas are covered. As well, patrols by portable weigh scale inspectors are primarily restricted to an eight-hour period and only from Monday through Friday. Division staff indicate that in practice, the enforcement activity of portable weigh scale inspection teams is based on personal knowledge of activity in their area, periodic consultation with supervisors, and complaints from the public.
Recommendation

The Department should undertake an analysis of its current enforcement environment and prepare a strategy to deal with the issues identified. Such a strategy should be coordinated with other highway safety enforcement activities.

Hours of operation

1. Scheduling - Permanent weigh scale inspection stations

The Department has indicated to the public that all permanent weigh scale inspection stations are open “24 hours per day”. There are two types of schedules in place for the five permanent weigh scale inspection stations, one based on a combination of eight-hour and twelve-hour shifts and the other based primarily on a twelve-hour shift. For both types of schedules, only one inspector works each shift.

The decision as to which schedule would be used at each of the stations was made by the inspectors involved. While Division officials are aware of how staffing schedules are prepared, there was no indication that any recent analysis has been conducted to determine whether the approach used is appropriate. As well, management information is not maintained to monitor the hours that the permanent weigh scale inspection stations are open and to compare the actual hours worked to scheduled hours worked.

During our review, we visited two of the five permanent weigh scale stations, located at Foxtrap and Pynn’s Brook. The results of our review of scheduling at these stations are as follows:

(a) Foxtrap

The schedule designed by staff at the Foxtrap station has been in use for several years. The schedule is based on a four-week period consisting of three eight-hour shifts per day from Monday to Wednesday and two twelve-hour shifts from Thursday through Sunday. The schedule contains one eight-hour shift each week, from 12:00 midnight to 8:00 a.m. each Wednesday, when the weigh scale is closed. We were informed that this was necessary as each staff member is to work an overall maximum of 40 hours per week. As the closed shift on Wednesdays over the years may have become predictable by drivers, it is possible that a driver wishing to evade inspection could choose this time.
The Department does not maintain any information comparing actual and scheduled hours worked. In order to determine the actual hours of operation for the Foxtrap station, we reviewed information which was available, in the form of a manual log book. We were advised that the maintenance of this logbook was not a Divisional requirement, but rather was retained by the inspectors at the Foxtrap station to record things such as changes in their shifts.

The logbook examined recorded information on the actual hours worked by inspectors and indicated the hours when the station was closed. As part of our review, an analysis was prepared of information contained in the logbook. A summary of the hours of operation is included in Figure 2.
Although the hours of operation communicated to the public on the Department’s web site are “24 hours per day”, our review of the hours recorded in the manual log book indicated that the Foxtrap permanent weigh scale station was closed 1,811 hours in 1999-00 or 20% of the total hours in the year. On a daily equivalent basis, this would equate to being closed a total of 75 of the 366 days during that year. The number of hours closed ranged from 55 hours or 7% of the time in January 2000 to 286 hours or 38% of the time in July 1999.
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The main reasons indicated in the logbook for station closures were inspectors being on leave, statutory holidays, and the closure of the station for the 8-hour shift each Wednesday from 12:00 midnight to 8:00 a.m.

Our review of the logbook also disclosed numerous instances where inspectors at the station change shifts with each other. These shift changes were managed by the inspectors themselves and did not require the approval of management. It was indicated that the attendance record forwarded to Headquarters does not reflect the actual days worked in these instances but rather the scheduled days for each staff member.

(b) Pynn’s Brook

The schedule designed by staff at the Pynn’s Brook station is similar to schedules for the remaining stations at Goobies, Grand Falls-Windsor, and Port aux Basques. While the formal schedule reflects a two-week period consisting of two twelve-hour shifts each day, we were informed that inspectors actually work six twelve-hour shifts and one eight-hour shift for a total of 80 hours per pay-period. As well, there is a closed shift each Sunday from 12:00 midnight to 8:00 a.m.

No manual logbook was maintained at the Pynn’s Brook weigh scale station, as was the case for the Foxtrap station. Therefore, an analysis, similar to that contained in Figure 2, indicating the actual hours that the weigh station was open during 1999-00 could not be prepared.

Officials also indicate that there is no coordinated effort between regions with respect to scheduling. This could result in situations where a number of the five weigh stations could be closed during the same period, thus impacting significantly on overall coverage.

2. Scheduling - Portable weigh scale inspections

Discussions with portable weigh scale inspectors and a review of daily patrol information available for the year ended 31 March 2000, disclosed that hours of work for portable weigh scale inspectors are primarily from 8:00 a.m. to 4:00 p.m., Mondays to Fridays. There were some instances (such as planned vehicle checks) where enforcement initiatives caused these hours to vary; however, the overall daily patrol hours did not vary significantly.
As there are predictable patterns in enforcement hours, it is possible that a driver having knowledge of these schedules can avoid inspection.

**Recommendation**

*The Department should review the impact of downtime and predictable hours of work on weigh scale operations. Consideration should be given to the coordination of hours of operation between regions.*

**Guidance for staff**

Operations of the Provincial weigh scale inspection stations are designed to monitor vehicles for compliance with various legislated highway safety standards. Weigh scale inspectors are responsible for inspection and enforcement activities related to several legislative authorities, including the *Highway Traffic Act* and the *Dangerous Goods Transportation Act*. There are a significant number of regulations under the *Highway Traffic Act* including those governing: vehicle weight and dimensions; hours of service; load security; carrier safety; maintenance standards; driver requirements; licencing and equipment; insurance; trip inspections; and regulations for specific vehicles such as buses and ambulances. While the primary duty of weigh scale inspectors is to weigh commercial vehicles for comparison to highway safety limits, they are responsible for
numerous inspection activities to determine compliance with the various legislative authorities. The following observations are made in relation to guidance provided to the inspectors in the conduct of their work:

- There is no policy manual to provide direction to weigh scale inspectors in the conduct of their work. Numerous memoranda have been prepared over the years which addressed specific issues as they arose. While these were to be forwarded to the inspectors, there is no master listing available to ensure the completeness of the memoranda retained by individual inspectors.

- Although there is a standard inspection form available for inspectors, the form is only completed in instances where the inspector issues a warning report or out of service notice. As a result, there is no record of the actual inspection procedures performed for all vehicles inspected. Information on specific inspection procedures performed and the results, if recorded, could be utilized by management both for monitoring weigh scale inspectors’ activities and in conducting related risk analysis for planning purposes.

- Inspectors indicate that in the absence of specific direction from management, they use their own judgement in terms of the types of infractions to be targeted during inspections completed and the frequency of specific types of inspection. For example, one type of inspection which is not consistently performed is a review of drivers’ log books for adherence to legislative hours of service provisions. Inspectors indicate that these reviews are quite time consuming and are infrequently conducted. As well, in the case of portable weigh scale inspectors, inspection procedures to be covered are for the most part determined by the inspectors themselves.

- While there have been some courses provided to inspectors covering specific areas, there is no formal training program in place for weigh scale inspectors. Training of new inspectors is primarily done on the job with the assistance of an experienced staff member.

**Recommendation**

*The Department should review current procedures in place with a view to improving direction to staff. Among those areas for consideration include: formal policy and procedures, standards for performance, and training.*
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Discretion in enforcement

Weigh scale inspectors have several options available to them in dealing with instances of non-compliance with authorities identified when weighing commercial vehicles or when completing vehicle inspections. These include:

- issuing a verbal warning;
- issuing a written warning which requires follow-up action; and
- issuing a ticket summons for an infraction which normally carries a related fine.

In addition, the inspector may determine that the deficiency is of a nature that the vehicle cannot proceed further. In these cases, more immediate corrective action must be taken by the vehicle owner/operator. For example, if a vehicle is significantly in excess of the specified applicable maximum weight, arrangements could be made by the owner/operator to offload a portion of the vehicle’s contents. Similarly, if there is a critical problem detected from the inspector’s visual or other inspection of the vehicle, the owner/operator could either have the vehicle towed or have necessary repairs completed.

Division officials indicate there are a number of instances where legislative authorities governing the Province’s highways are not strictly enforced. In these cases, significant discretion is used by the weigh scale inspectors in determining the course of action to be taken. Inspectors indicated that they have been informed by management that their primary focus should be on ensuring compliance with highway safety issues as opposed to strict enforcement of authorities through issuing ticket summons and resulting fines.

Our review of weigh scale operations, including discussions with weigh scale inspectors and other officials of the Division, disclosed the following examples where significant discretion is used by weigh scale inspectors in enforcing legislative requirements:

- If an inspector identifies less than three non-critical vehicle deficiencies during an inspection, than a ticket summons will not usually be issued. In those instances, a warning ticket only may be issued despite the fact that the various regulations under the Highway Traffic Act stipulate a penalty for each infraction identified.
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- In cases where multiple infractions are detected, the ticket will typically be issued for the infraction having the lowest dollar value.

- In practice, tickets are not issued for all overweight vehicles. A memorandum was circulated to inspectors indicating discretionary and non-discretionary tolerances which are to be considered for enforcement purposes. Such tolerances are to account for increases in load weight due to such things as weather and variations in wood density.

- Under the automatic computer system function in place at permanent weigh scale stations, after a vehicle has been weighed, a preset time will be provided by the computer system which, if not manually interrupted by the weigh scale inspector, will automatically signal the driver to proceed. The time delay is typically seven to eight seconds in length. Given that only one inspector is in place for each shift, this results in a situation where an observation of vehicle weight by the inspector or other inspection procedures cannot always be conducted for all commercial vehicles entering the weigh decks. This is due to the additional duties required of the inspectors, such as following up on inspection observations with drivers and attending to requests from portable inspectors for vehicle identification information through the Motor Registration Division on-line system accessible at the permanent weigh scale inspection stations.

- When a vehicle’s weight has been determined, the weigh scale inspector has to determine whether that weight is in excess of the maximum applicable specified weight. This maximum weight would depend on the configuration of the particular vehicle. Given the number of possible configurations of the vehicles and the time delay function of the automatic computer system in place at the stations, considerable judgement is used by the inspectors in assessing whether the vehicle is overweight.

- The posted requirement at the permanent weigh scale inspection stations is for all commercial vehicles to stop if they have a gross mass in excess of 4,500 kilograms. In practice, commercial vehicles such as busses do not adhere to this requirement. The Division is aware of this issue but has not taken further measures with respect to addressing this aspect of enforcement.
In practice, empty commercial vehicles are permitted to by-pass the weigh decks at the permanent weigh scale stations; however, these vehicles are not examined to ensure that they are empty. As well, empty woods trucks travelling east on the Trans Canada Highway, which pass the Pynn’s Brook inspection station, are not required to enter the station’s weighing area. While the underweight status of an empty woods truck would be apparent from a visual inspection, the same conclusion cannot always be drawn for other commercial vehicles which by-pass the weigh decks at a permanent weigh scale station. In addition, the inspectors at the weigh scale stations are responsible for inspecting not only the weight of the vehicle, but also to perform other inspection procedures.

Management Systems

One of the objectives of our review was to determine whether management receives information necessary for planning, decision making, control, and ensuring compliance with legislative responsibilities. In addressing this objective, we first made a determination of the information that was received by management.

Our review disclosed that while inspectors at the permanent weigh scale inspection stations do maintain some information related to station activity, there was virtually no information used by management to assess and report on the permanent weigh scale stations.

Our review of activity reports prepared by the portable weigh scale inspectors disclosed that activity reports differed between the regions and the information provided was of limited use.

Although the Division’s system can produce periodic statistical reports on all weigh scale operations, we were informed that such reports for the 1999-2000 year were not produced. We were, however, provided with a quarterly statistics report for the three-month period ended September 2000. Based upon a review of the September 2000 report, we make the following comments:

(a) the report has not been distributed to supervisors responsible for monitoring the work of the weigh scale inspectors;

(b) as weigh scale inspectors only report weight infractions and inspection deficiencies, much of the relevant inspection activity is not reflected in the statistics generated;
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(c) information is input only as received, with no process in place to ensure the timely capture and completeness of such information; and

(d) the report allows for the inclusion of information on the number of vehicles weighed; however, this information is not currently provided.

Recommendation

The Department should ensure that management receives information necessary for planning, decision making, control, and ensuring compliance with legislative responsibilities.

Department’s Response

The Report concludes that the “administration of weigh scales activities is not adequate to ensure that the highway safety objectives of the program are being met.” The Report also states that “considerable judgement is exercised by weigh scales inspectors in the performance of their duties in terms of scheduling shifts, the inspection program, enforcement of legislative provisions, and documentation of their work. Compounding this is the fact that supervision of weigh scale operations is lacking and reporting is virtually non-existent.” The Department does not concur with this conclusion and the Report provides no statistical proof to justify this conclusion. Accident statistics and the results of national initiatives undertaken in this Province, such as Brake Check Days and Roadcheck Days, indicate as a province we are comparable with the rest of the country. In addition, results of our continuous internal audit of our carriers indicate a substantial improvement in the safety levels of our carriers.

Planning

The Report notes the lack of a formal policy and procedures manual; however, it also notes that the Division’s strategic plan indicates one of its long term objectives is to have a complete manual in place by 2003. The Department has recognized this deficiency, however, the inability to devote dedicated resources to such a project has made this a long term objective.

The Report states that there is no plan which addresses activities for weigh scale inspectors. This statement is misleading as the Department has begun the development of such a management plan with a preliminary report produced this past summer. Over the past several years, the Motor Registration Division has been developing a management plan which
encompasses both the highway enforcement officers as well as the weigh scale inspectors. The plan includes the following: (i) an analysis of the workload which involved breaking the Province down into twenty-one (21) inspection regions; (ii) determining the carrier breakdown in each region; (iii) determining travel time to each region; and (iv) modifications to the Division’s computer system to record all work by an inspector. The plan must also take into consideration complaints from the public and supervisor’s and inspector’s knowledge of an area and local carriers. There is a conscious effort to ensure all areas are covered. This can now be detected through our inspectors’ statistics report which clearly points out enforcement coverage by area and infraction comparisons. The development of this management plan is still ongoing and will take time to fully develop.

It is also important to point out that a weigh scale inspector’s primary function is to weigh vehicles. Over the past several years the Department has provided specific training to inspectors and encouraged a greater role by them in vehicle inspections. The Department believes that setting benchmarks at this time would be premature as time is needed to fully develop the above noted management plan and to analyze the data over the next couple of years.

One must be careful when using the term “patrol”, as used in the Report. Weigh scale inspectors have been directed to go into a region, set up to weigh in a safe location and then move on once their presence has become ineffective. These individuals are “inspectors” not “police officers” and work can only be conducted in safe locations on the side of a highway, which in many places is not available. Work must also be done during daylight hours as it is unsafe to work in the dark.

**Hours of Operation**

The Department agrees that hours of operation of permanent sites should be co-ordinated between regions as the objective is to provide weigh scale service, at a minimum, at one site at all times. Consequently, the Department intends to review this matter as well as downtime at the stations.

The Report points out that the “Department’s current Web Site indicates that the permanent weigh scales are open “24 hours a day”. The Department, however, cannot guarantee all five weigh scale stations are operating on this schedule. The Department’s current Web Site is outdated and a new site is being developed, which is expected to go live in December and will not reference the hours of operation for the scales.
With respect to work schedules, the Department does not have a problem with inspectors adjusting their shifts provided that the hours reported on their time sheets are accurate. We intend to work with our staff in developing several schedules in order to alternate the downtime, bearing in mind our main concern is to ensure that at least one permanent weigh scale is open around the clock.

The Report also suggests that our portable teams should work outside the 8 a.m. to 4 p.m., Monday to Friday routine. The Department does not support this as it is not safe for staff to work in the dark. In addition, a supervisor or additional assistance is not available after normal hours for a portable team, therefore, officer safety would be comprised. Again, it is important to note that our inspectors do not “patrol” in the same manner as a “police officer”.

Our clients are, for the most part, commercial carriers. The majority of long haul carriers who operate around the clock travel the Trans Canada Highway and stop at our permanent sites. The smaller, local carriers covered off by our portable teams, mostly operate a 9 a.m. to 5 p.m. business. Total altering our schedule, to try and catch a small percentage of carriers who try to avoid us by operating outside regular working hours, is not practical nor cost effective. In many cases these companies have other problems that are detected by other enforcement agencies. Roadside inspection data does not justify the increase in cost and the negative impact on officer safety to implement such schedules on a permanent basis. We believe that altering our schedules on a need to basis results in a more successful operation.

**Guidance for Staff**

The Department recognizes the need for a formal policy manual and, as noted previously, is in the process of developing such a manual. The Report indicates that while numerous memoranda have been prepared over the years to address specific issues, no master listing is available. This will be addressed as part of the policy manual we are developing.

The Report notes that while there is a standard inspection form, it is only filled out by inspectors when issuing a warning ticket or out of service notice. Inspectors have in the past been encouraged to produce paper work for all inspections; however, the Department intends to review this matter to ensure data needed for planning and inspection purposes is properly captured.
Specific training programs are developed as needed within existing resources. The Department is currently undergoing a training needs assessment program; however, given the Department’s overall size, priority areas had to be established. It is our intention to cover all areas, including weigh scale inspectors, over time.

**Discretion in Enforcement**

The Report outlines examples where “significant” discretion is used by our inspectors in enforcing legislative requirements. As previously noted, the Division’s main objective is to ensure compliance with highway safety issues; not to maximize on the number of tickets issued. This is accomplished by equipping our inspectors with the authority to apply discretion with limitations. Our goal is to work with industry to ensure our highways are safe and to assist them in maximizing on safety, not to put them out of business.

The Report states that “Given the number of possible configurations of the vehicles and the time delay function of the automatic computer system in place at the stations, considerable judgement is used by the inspectors in assessing whether the vehicle is overweight”. This statement is incorrect as vehicle configurations and their weights limits are outlined in the Highway Traffic Vehicles Regulations.

The Report also states that buses do not report to the scales and “The Division is aware of this issue but has not taken further measures with respect to addressing this aspect of enforcement”. This is also incorrect. We have a complete safety program for the bus industry. As well, given the consistent load on a bus, making them stop at weigh scales would only be interfering with passenger service.

The Department will review its policy on allowing empty trucks to bypass the scales as noted in the Report.

**Management Systems**

As noted earlier, management information reports are in the development stage and the intent is that these statistics will be used to maximize our resources.