



Weighing & Truck Reference for Aggregate Plants

October 2013

California Construction & Industrial Materials Association (CALCIMA)
1029 J Street, #420
Sacramento, CA 95814
916-554-1000
www.calcima.org
www.distancematters.org

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Overview

While California has many laws regarding weighing and vehicles, there are a few provisions and requirements specific to aggregate operations and related construction material plants. In addition, there are a number of unique situations regarding weighing and truck safety at aggregate plants that have been the subject of notices and projects by CalCIMA.

This reference guide is intended to be a quick reference for scale house, weighmaster, and plant personnel on the key laws and notices. It includes:

- Specific provisions of the Business & Professions Code
- Specific provisions of the California Vehicle Code
- Agency & CalCIMA notices, programs, and documents
- Reference links for more detailed information.

This is not intended to be a complete or exhaustive list of the various codes and legal requirements. In addition, while it is anticipated this reference guide will be up-dated as codes change, it is advisable to check the actual codes for the most current version. More information on codes and agency contacts can be found on page 25.

Truck Weighing

Pre-determined Tares

Summary: The Business & Professions Code allows vehicles transporting sand, gravel, rock, and asphalt to use pre-determined tare weights. The code also allows pre-determined tares for those vehicles to be determined with the driver in the vehicle.

Business & Professions Code

Section 12722.

(a) In accordance with this chapter and regulations adopted by the secretary, any weighmaster may use a tare weight for a vehicle, container, or pallet that has been previously determined by a weighmaster. It is the responsibility of the party for whom the tare weight was established to maintain the tare weight within the variations prescribed by the secretary.

(b) Any weighmaster weighing any vehicle moving **earth, stone, rock, sand, gravel, or asphalt paving material** may use a predetermined tare weight. The issuance of predetermined tare weights are exempt from the provisions of Subchapter 9 (commencing with Section 4400) of Chapter 9 of Title 4 of the California Administrative Code. It is the responsibility of the party for whom the tare weight was established to maintain the actual weight so that the actual tare weight of the vehicle shall at no time exceed the recorded tare weight.

Section 12724.

(a) Except as provided in this section, a weighmaster weighing a vehicle for certification shall determine both gross and tare weights with all persons off the scale and vehicle, unless both the gross and tare weights are determined without leaving the weighing location.

(b) Predetermined tares for vehicles moving **earth, stone, rock, sand, gravel, and asphalt paving material** may be determined with the driver in the vehicle, if the gross weight is determined in the same manner and the weighmaster indicates on the weighmaster certificate that the driver was on the vehicle for both gross and tare weight.



California Construction and Industrial Materials Association

Truck Weighing Advisory

July 2013

There have been reports that some aggregate delivery vehicles may be leaving aggregate plants overloaded. In particular, there have been reports of overloading Super Dump trucks, which have a weight limit of 66,000 pounds. There is concern that operators may be focusing on the 80,000 pound load limit for end dumps, transfers, etc. and not lower limits that may apply to Super Dumps and smaller truck types. Overloaded trucks are a road hazard.

Here are a few reminders for plants:

- Although licensed commercial drivers are responsible for reviewing weigh tickets and knowing their maximum load limits, plant operators and weighmasters have responsibilities, too. <http://www.cdfa.ca.gov/dms/programs/wm/wm.html>
- Know what type of trucks are being loaded and weighed and their weight limits.
- Trucks are required to have a maximum weight sticker on the driver door. The stickers are in numbers like "66", "70", "80", etc. The number on the sticker represents the "thousands" of pounds gross vehicle weight the unit can haul. For example, "66" means 66,000 pounds gross weight, "80" means 80,000 pounds, etc. These stickers should be viewed by the weighmaster for every load and are an indication of maximum weight allowed.
- If your loadout system allows it, make the adjustments to set the maximum weight per truck type to prevent overloads.
- If you don't know the truck's weight limit, the weighmaster may want to ask each driver their truck load limit before loading or have the driver provide load limit information at the time of loading or weighing.
- Ensure plant weighmasters and other personnel are appropriately trained. Instruct weighmasters to control axle weights on all trucks being ticketed.
- Weighmasters are responsible for knowing truck types and load limits. Caltrans has useful websites on the requirements in CA Vehicle Code sections Sections 35550 and 35551. <http://www.dot.ca.gov/hq/traffops/trucks/trucksize/weight.htm> or <http://www.dot.ca.gov/hq/traffops/signtech/trucks/>

Automated/Unattended Weighing Systems

AB 1518 (Perea), PL# 2012-344

Summary: The Business & Professions Code allows the use of automated weigh systems for vehicles moving construction materials. These materials include earth, stone, rock, sand, gravel, limestone, ready mixed concrete, cementitious materials, recycled materials, or asphalt.

Plants electing to use automated weighing systems have two additional requirements: (1) retain the same number of deputy weighmasters as were registered the prior two years, and (2) follow a different fee schedule for weighmasters. These two provisions sunset in 2020.

Fee schedule for automated systems

Fixed location - \$200

Additional fixed location - \$75

Weighmaster at other than a fixed location - \$300

Deputy weighmaster - \$50

Plants using automated systems need approval by the Division of Weights & Measures at the CA Department of Food & Agriculture.

(note: the Division of Measurement Standards' regulations to implement this law were not complete at the time of publication of this document. They are expected to be complete by 2014).

Business & Professions Code

12737. (a) Any weighmaster weighing any vehicle moving **construction materials**, including, but not limited to, **earth, stone, rock, sand, gravel, limestone, ready mixed concrete, cementitious materials, recycled construction materials, or asphalt paving materials** may use an unattended weighing system to weigh the vehicle and to issue a weighmaster certificate to buyers who opt to utilize the unattended system, provided that the system and the operation of the system comply with regulations or policies issued by the secretary. The name of the principal weighmaster and the unique system identification number of the unattended weighing system utilized shall be imprinted on the weighmaster certificate and this shall satisfy the requirements of subdivision (c) of Section 12715. Nothing in this section impacts existing weighing and ticketing systems.

(b) (1) A weighmaster described in subdivision (a) shall pay the department the following license fee for each license year as applicable to the operation, and the fees set forth in Section 12704 shall not apply:

(A) Two hundred dollars (\$200) if the weighmaster is operating at a fixed location.

- (B) Seventy-five dollars (\$75) for each additional fixed location at which the weighmaster is operating.
- (C) Three hundred dollars (\$300) if the weighmaster is operating at other than a fixed location.
- (D) Fifty dollars (\$50) for each deputy weighmaster.

(2) Any fee imposed pursuant to this section shall not exceed the reasonable regulatory costs to the department of enforcing this section.

(c) For purposes of this section:

(1) "License year" means the period of time beginning with the first day of the month the weighmaster is required to be licensed in this state, and ending on the date designated by the director for expiration of the license, or yearly intervals after the first renewal.

(2) "Location" means a premise on which weighing, measuring, or counting devices are used.

(3) "Principal weighmaster" means the person or entity identified on the weighmaster certificate, as described in subdivision (b) of Section 12714, that may employ or designate any person to act for the weighmaster as a deputy weighmaster pursuant to Section 12710.

(4) "Unattended weighing system" means an automated system not directly under the supervision of a weighmaster that meets the approval, testing, and sealing requirements of Section 12717.

(d) A weighmaster described in subdivision (a) shall keep the same number of deputy weighmaster licensees as were licensed in the average of the last two years proceeding the use of an unattended weighing system.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

12737. (a) Any weighmaster weighing any vehicle moving construction materials, including, but not limited to, earth, stone, rock, sand, gravel, limestone, ready mixed concrete, cementitious materials, recycled construction materials, or asphalt paving materials may use an unattended weighing system to weigh the vehicle and to issue a weighmaster certificate to buyers who opt to utilize the unattended system, provided that the system and the operation of the system comply with regulations or policies issued by the secretary. The name of the principal weighmaster and the unique system identification number of the unattended weighing system utilized shall be imprinted on the weighmaster certificate and this shall satisfy the requirements of subdivision (c) of Section 12715. Nothing in this section impacts existing weighing and ticketing systems.

(b) (1) A weighmaster shall pay the department the following license fee for each license year as applicable to the operation:

(A) Seventy-five dollars (\$75) if the weighmaster is operating at a fixed location.

(B) Thirty dollars (\$30) for each additional fixed location at which the weighmaster is operating.

(C) Two hundred dollars (\$200) if the weighmaster is operating at other than a fixed location.

(D) Twenty dollars (\$20) for each deputy weighmaster.

(2) Any fee imposed pursuant to this section shall not exceed the reasonable regulatory costs to the department of enforcing this section.

(c) For purposes of this section:

(1) "License year" means the period of time beginning with the first day of the month the weighmaster is required to be licensed in this state, and ending on the date designated by the director for expiration of the license, or yearly intervals after the first renewal.

(2) "Location" means a premise on which weighing, measuring, or counting devices are used.

(3) "Principal weighmaster" means the person or entity identified on the weighmaster certificate, as described in subdivision (b) of Section 12714, that may employ or designate any person to act for the weighmaster as a deputy weighmaster pursuant to Section 12710.

(4) "Unattended weighing system" means an automated system not directly under the supervision of a weighmaster that meets the approval, testing, and sealing requirements of Section 12717.

(d) This section shall become operative on January 1, 2020.

Weighmasters: An Update on Weight Certificate & Truck Identification Requirements

Excerpts from a 2004 article by David R. Lazier, Chief Division of Measurement Standards

“The loading and transport of materials from California aggregate and ready mixed concrete plants requires producers to follow certain procedures and requirements established by the State’s Business & Professions Code. As the rules and regulations are routinely up-dated, I thought it would be worthwhile to review the weight certificate and truck identification requirements as they apply to construction material operations.

What is a Weighmaster?

To begin, the California Business & Professions Code (B&P Code) defines a weighmaster as:

“Any person who, for hire or otherwise, weighs, measures, or counts any commodity and issues a statement of that weight, measure, or count which is used as the basis for either the purchase or sale of that commodity or charge for service.”

This includes businesses dealing in asphalt, rock, sand, gravel, stone, earth, and ready mixed concrete products.

Weighmaster Certificate

The B & P Code identifies the specific information that must be on the certificate -

- The required legend exactly as it appears in the law.
- The printed name of the principle weighmaster as it appears on the license.
- A consecutive number.
- The date of the weighing, measuring, or counting.
- The street address of the weighing, measuring, or counting location.
- The signature of the deputy weighmaster who determined the weight, measure, or count.
- A description of the commodity.
- The buyer’s and seller’s names.
- The gross, tare, and net weights or true net weight, measure, or count.
- The unit of measure (pounds, tons, kilograms, fluid ounces, gallons, etc.)
- The correct identification of the vehicle or combination of vehicles.

Vehicle Identification

The weighmaster certificate must show the correct identification of the vehicle, or combination of vehicles by which the commodity was delivered – *license number(s) or equipment number(s)*.

If an equipment number is used to identify a vehicle or combination of vehicles, there must be traceability to the registered vehicle license numbers through the weighmaster's records. The CMAC Identification Number is acceptable for use providing the weighmaster has the license numbers of the tractor and the trailer(s) that go with the CMAC number in their records *and the combination of tractor and trailer(s) does not change.*

When is a Weighmaster Certificate Required?

A certificate must be issued whenever payment for the commodity is dependent on a written or printed weight, measure, or count.

The weighmaster is responsible for ensuring that the weighmaster certificates issued by him or her, or a deputy acting for him or her, are complete and contain all the information required.

It is unlawful to issue a weighmaster certificate if the certificate does not contain all information required for the transaction.

What about Errors?

Certificates with errors *before being issued* –

- Write “VOID” across the face of all copies of the certificate and keep all copies for 4 years as part of your records.

Certificates with errors *after being issued* –

- Issue a Correction Certificate to all parties who were issued a copy of the original certificate
- Write “Incorrect” across the face of your copy of the original certificate.
- Write the original certificate number and the reason for the correction on the Correction Certificate.

Record Keeping

All weighmasters must keep and preserve, as records for a period of four years, all copies of voided certificates, records, worksheets, and true copies of all weighmaster certificates issued.

Predetermined Tare Weights

A weighmaster weighing any vehicle moving earth, stone, rock, sand, gravel, or asphalt paving material may use a predetermined tare weight. Predetermined tare weights used in these types of operations are exempt from the marking requirements that would normally apply.

It is the responsibility of the party for whom the tare weights was established to maintain the weights to that the actual tare weight of the vehicle at no time exceeds the recorded tare weight.

If the driver is in the vehicle for the tare weight, he/she must also be in the vehicle for the gross weight. The weighmaster certificate must also indicate that the driver was in the vehicle for both weighs.”

Vehicle Requirements

Load Containment

AB 3220 – Katz, 1988

Summary. The California Vehicle Code (CVC) has specific requirements regarding aggregate delivery trucks and load containment. The CA Vehicle Code requires aggregate loads either to 1) be covered, or 2) have the load remain six inches from the top of the container area on all sides and not peak above the upper edge of the container area.

CVC Section 23114.

(a) Except as provided in Subpart I (commencing with Section 393.100) of Title 49 of the Code of Federal Regulations related to hay and straw, a vehicle shall not be driven or moved on any highway unless the vehicle is so constructed, covered, or loaded as to prevent any of its contents or load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle.

(b) (1) **Aggregate material** shall only be carried in the cargo area of a vehicle. The cargo area shall not contain any holes, cracks, or openings through which that material may escape, regardless of the degree to which the vehicle is loaded, except as provided in paragraph (2).

(2) Every vehicle used to transport **aggregate materials**, regardless of the degree to which the vehicle is loaded, shall be equipped with all of the following:

(A) Properly functioning seals on any openings used to empty the load, including, but not limited to, bottom dump release gates and tailgates.

(B) Splash flaps behind every tire, or set of tires, regardless of the position on the truck, truck tractor, or trailer.

(C) Center flaps at a location to the rear of each bottom dump release gate as to trucks or trailers equipped with bottom dump release gates. The center flap may be positioned directly behind the bottom dump release gate and in front of the rear axle of the vehicle, or it may be positioned to the rear of the rear axle in line with the splash flaps required behind the tires. The width of the center flap may extend not more than one inch from one sidewall to the opposite sidewall of the inside tires and shall extend to within five inches of the pavement surface, and may be not less than 24 inches from the bottom edge to the top edge of that center flap.

(D) Fenders starting at the splash flap with the leading edge of the fenders extending forward at least six inches beyond the center of the axle that cover the tops of tires not already covered by the truck, truck tractor, or trailer body.

(E) Complete enclosures on all vertical sides of the cargo area, including, but not limited to, tailgates.

(F) Shed boards designed to prevent aggregate materials from being deposited on the vehicle body during top loading.

(c) Vehicles comprised of full rigid enclosures are exempt only from subparagraphs (C) and (F) of paragraph (2) of subdivision (b).

(d) For purposes of this section, "**aggregate material**" means rock fragments, pebbles, sand, dirt, gravel, cobbles, crushed base, asphalt, and other similar materials.

(e) (1) In addition to subdivisions (a) and (b), a vehicle may not transport any **aggregate material** upon a highway unless the material is covered.

(2) Vehicles transporting loads composed entirely of **asphalt material** are exempt only from the provisions of this section requiring that loads be covered.

(3) Vehicles transporting loads composed entirely of petroleum coke material are not required to cover their loads if they are loaded using safety procedures, specialized equipment, and a chemical surfactant designed to prevent materials from blowing, spilling, or otherwise escaping from the vehicle.

(4) Vehicles transporting loads of **aggregate materials** are not required to cover their loads if the load, where it contacts the sides, front, and back of the cargo container area, remains six inches from the upper edge of the container area, and if the load does not extend, at its peak, above any part of the upper edge of the cargo container area.

Area For Trucks To Cover or Trim Loads

SB 1530 – Torlakson, PL # 2002-673

Summary: The California Vehicle Code requires aggregate plants to provide an area to cover or trim truck loads, unless there is 100 yards or less between the scale house and the point of egress.

CVC Section 23114

(f) - A person who provides a location for vehicles to be loaded with an **aggregate material** or other material shall provide a location for vehicle operators to comply with this section before entering a highway.

(1) A person is exempt from the requirements of this subdivision if the location that he or she provides for vehicles to be loaded with the materials described in this subdivision has 100 yards or less between the scale houses where the trucks carrying aggregate material are weighed and the point of egress to a public road.

(2) A driver of a vehicle loaded with **aggregate material** leaving locations exempted from the requirements of this subdivision is authorized to operate on public roads only until that driver is able to safely cover the load at a site near the location's point of egress to the public road. Except as provided under paragraph (4) of subdivision (e), an uncovered vehicle described in this paragraph may not operate more than 200 yards from the point of egress to the public road.

Bonds & Construction Truck Brokers

AB 145 – de Leon, PL # 2010-429
SB 1092 – de Leon, PL# 2012-490

Summary. The California Vehicle Code requires brokers of construction trucks, including aggregate delivery trucks, to post a \$15,000 bond. The bond is to be presented annually to those who hire or engage the services of construction trucks. In general, a broker of construction truck services does *not* include aggregate, asphalt, concrete, and cement plants, if they do not arrange or accept fees for transportation services.

CVC Section 34510.5.

(a) (1) A broker of construction trucking services, as defined in Section 3322 of the Civil Code, shall not furnish construction transportation services to any construction project unless it has secured a surety bond of not less than fifteen thousand dollars (\$15,000) executed by an admitted surety insurer. The surety bond shall ensure the payment of the claims of a contracted motor carrier of property in dump truck equipment if the broker fails to pay the contracted motor carrier within the time period specified in paragraph (1) of subdivision (a) of Section 3322 of the Civil Code.

(2) (A) A broker of construction trucking services annually shall provide written evidence of the broker's valid surety bond to a third-party nonprofit organization that is related to the industry and regularly maintains a published database of bonded brokers or post a current copy of the surety bond on the broker's Internet Web site.

(B) When a copy of a surety bond is provided to a third-party nonprofit organization, the broker shall notify the third-party nonprofit organization if at any time the surety bond is cancelled or expired. When a copy of the surety bond is posted on the broker's Internet Web site, the broker shall remove the surety bond from his or her Web site if at any time the surety bond is cancelled or expired.

(C) A third-party nonprofit organization shall not charge a broker for posting evidence of a valid surety and or limit the posting of the bond only to the organization's members.

(D) A third-party nonprofit organization shall not be liable for any damages caused by the publication of any information provided pursuant to this paragraph that is erroneous or outdated.

(b) A broker of construction trucking services shall not hire, or otherwise engage the services of, a motor carrier of property to furnish construction transportation services unless the broker provides, prior to the commencement of work each calendar year, written evidence of the broker's valid surety bond to any person that hires, or otherwise engages the services of, the broker to furnish construction transportation services and also to the hired motor carrier of property.

(c) A broker of construction trucking services who furnishes construction transportation services in violation of this section is guilty of a misdemeanor and subject to a fine of up to five thousand dollars (\$5,000).

(d) In any civil action brought against a broker of construction trucking services by a motor carrier of property in dump truck equipment with whom the broker contracted during any period of time in which the broker did not have a surety bond in violation of this section, the failure to have the bond shall create a rebuttable presumption that the broker failed to pay to the motor carrier the amount due and owing.

(e) For purposes of this section, "a broker of construction trucking services" does not include a facility that meets all the following requirements:

(1) Arranges for transportation services of its product.

(2) Primarily handles **raw materials** to produce a new product.

(3) Is a rock product operation (such as an "**aggregate**" operation), a **hot mixing asphalt plant**, or a **concrete, concrete product**, or **Portland cement product** manufacturing facility.

(4) Does not accept a fee for the arrangement.

(f) For the purposes of this section, "written evidence of the broker's valid surety bond" includes a copy of the surety bond, a certificate of insurance, a continuation certificate, or other similar documentation originally issued from the surety that includes the surety's and broker's name, the bond number, and the effective and expiration dates of the bond.

Truck Safety

Back-Up Alarms

SB 341 – A. Lowenthal, PL # 2011-235

Summary. The California Vehicle Code requires a working back-up alarm on vehicles hauling construction or industrial materials, including aggregate delivery, concrete mixer, water trucks, and other trucks.

CVC Section 27000 (d)

(1) A construction vehicle with a gross vehicle weight rating (GVWR) in excess of 14,000 pounds that operates at, or transports **construction or industrial materials** to and from, a **mine or construction** site, or both, shall be equipped with an automatic backup audible alarm that sounds on backing and is capable of emitting sound audible under normal conditions from a distance of not less than 200 feet.

(2) As used in this subdivision, "construction vehicle" includes, but is not limited to, all of the following:

(A) A vehicle designed to transport **concrete, cement, clay, limestone, aggregate** material as defined in subdivision (d) of Section 23114, or other similar construction or industrial material, including a transfer truck or a tractor trailer combination used exclusively to pull bottom dump, end dump, or side dump trailers.

(B) A vehicle that is a **concrete mixer truck**, a truck with a **concrete placing boom**, a **water tank truck**, a **single engine crane** with a load rating of 35 tons or more, or a tractor that exclusively pulls a **low-boy trailer**.



California Construction and Industrial Materials Association

Safety Alert

For Trucking Customers at Mines

Trucks loading rock, sand, and gravel and related materials are a vital part of the construction materials business, but their mobility can pose safety challenge at mines for both miners and truckers. While most truckers are safe and follow rules, it is always helpful to have safety reminders. Working together and following these three safety reminders, we believe everyone can have a safe and productive work environment.

Do Not Climb On Trucks! Every time a trucker climbs on a truck there is a possibility for a fall. Even falling 6 feet can kill a person. Most aggregate and mineral mines prohibit climbing onto the tops of trucks or trailers. These are options to consider if there is need to trim or level a load:

- Use a tarp system that can be operated from the cab or ground.
- Request assistance from a loader operator.
- Utilize a loading structure, if available, to rake the load. Remember to use safety harnesses to avoid a fall.

Equip Your Truck With a Back-Up Alarm. The California Vehicle Code (CVC) requires a working back-up alarm on all vehicles hauling construction or industrial materials. Specifically, Sec. 27000(d) of the CVC requires trucks weighing over 14,000 pounds and hauling aggregate, limestone, concrete, cement, clay, or other materials or trucks identified in Sec. 27000(d) to have a working back-up alarm. This means the back-up alarm is required for vehicles as part of the California Highway Patrol's biennial inspection of terminal (BIT).

Honk Your Horn Before Moving. The Mine Safety & Health Administration (MSHA) requires that all vehicles honk their horns when starting from a stationary position. This protects nearby miners and truckers who may be unaware that a truck is about to move. This is required in Part 56/57.14200 in Title 30 of the Federal Code of Regulations.

Note: The above are general reminders. Most plants have detailed site specific rules, including speed limits, routes, personnel protective equipment, designated areas for vehicles, wheel chocking, stopping and starting, and contact with materials. Please make sure drivers understand plant warnings and procedures. Be aware, too, that plants may reserve the right to restrict or deny access for haulers or drivers of non-compliant trucks.

CalCIMA 1029 J Street, #420, Sacramento, CA 95814 (916) 554-1000 www.calcima.org

CalCIMA Truck Tarping Study

An Examination of Load Securement Laws in Selected States Pertaining To The Use of Truck Tarps For The Hauling of Aggregates

This report was prepared in 2007 for CalCIMA's Safety & Health Committee, as part of an examination of customer truck safety at aggregate plants.

From the study's executive summary,

“The goal of this study was to sample a selected group of states for the purpose of examining truck tarp laws and statutes specifically related to hauling aggregates. The research focused on three objectives: 1) collection and analysis of state laws and regulations primarily to determine background, context, and legal stipulations; 2) survey actual daily practices and enforcement, and 3) identify the implications of such laws and reveal recognizable trends.”

The study can be accessed at this link, <http://www.calcima.org/pdf/Tarpstudy.pdf>

Other

CALCIMA

California Construction and Industrial Materials Association

CalcIMA Truck Identification Program FOR AGGREGATE HAULING IN CALIFORNIA

How Participation Can Benefit your Company:

- Unique ID number for each truck
- Eliminates confusion caused by multiple numbers on trucks
- CalcIMA number visually identifies the truck
- Reduces accounting errors
- Reduces time at the scales
- First step toward automated identification

A partial list of the aggregate companies supporting the Truck Identification Program include Western Aggregates, Granite Construction, 7/11 Materials, Teichert Materials, George Reed Inc., Syar Industries, Cemex, and Vulcan Materials/Triangle Rock Products.

Registration Fee: \$2.50 per label plus delivery costs. Numbers are issued sequentially on a first come, first serve basis



Register your trucks and fleet with CalcIMA

Contact: Stephanie Pridmore # (916) 554-1000, x 101 or spridmore@calcima.org
www.calcima.org www.distancematters.org

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DEPARTMENT OF FOOD AND AGRICULTURE

Division of Measurement Standards
8500 Fruitridge Road
Sacramento, CA 95826



August 25, 2003

TO THE INDUSTRY MEMBER ADDRESSED

The Division of Measurement Standards has recently become aware of the voluntary truck identification program available for aggregate operations through the Construction Materials Association of California (CMAC). While this program appears to be a valid program to improve industry operations, we have noticed one area that weighmasters need to be aware of to ensure compliance with the California Business & Professions Code (B&P Code).

As we understand this program, it operates by assigning a unique number to each truck that hauls aggregate from participating aggregate plants. While the CMAC truck identification program provides benefit to both the aggregate and trucking industries by reducing to a single number the identification of aggregate haul trucks, we understand that some weighmasters are currently recording only the CMAC Identification Number on weighmaster certificates.

Our concern is that weighmasters may not also be recording identification information about trailers pulled by the truck. The B&P Code requires that weighmasters also record trailer information. Specifically, Division 5, Chapter 7, Section 12715(i) of the B&P Code states:

"The correct identification of the vehicle, combination of vehicles, or other means by which the commodity was delivered. If an **equipment number** is used to identify a vehicle or combination of vehicles, there shall be traceability to the registered vehicle license numbers through the weighmaster's records."

Therefore, when a weighmaster records the CMAC Identification Number only on the weighmaster certificate and not the trailer(s) license number(s), there may not be traceability in the weighmaster's records as required by the law. When the CMAC Identification Number is used for the entire combination of vehicles, and trailer(s) are changed temporarily or permanently, the traceability records must be updated to reflect the changes with the license numbers.

We hope that by providing this information, compliance with the law can be ensured and that you will continue to take advantage of the benefits of the CMAC truck identification program.



Information Sources For Weighing & Trucking Laws

Division of Measurement Standards, Weighmaster Enforcement Branch

General number - (916) 229-3000

Division of Measurement Standards - <http://www.cdfa.ca.gov/dms/>

Weighmaster Enforcement Program - <http://www.cdfa.ca.gov/dms/programs/wm/wm.html>

Weighmaster Law - <http://www.cdfa.ca.gov/dms/programs/wm/wmLaw.pdf>

Weighmaster Regulations - <http://www.cdfa.ca.gov/dms/programs/wm/wmRegs.pdf>

Information Guide - <http://www.cdfa.ca.gov/dms/programs/wm/wmInfoGuideBusiness.pdf>

Field Manual - <http://www.cdfa.ca.gov/dms/programs/general/2013-FieldReferenceManual.pdf>

Policy & Procedure Guidelines - <http://www.cdfa.ca.gov/dms/notices/weighmaster/weighmasterindex.html>

Notice on Inspectors Access to Weighmaster Records – Dec. 2010

http://www.cdfa.ca.gov/dms/notices/weighmaster/2010/DMS_Notice%20W_10_05.pdf

Notice re Weighmaster Certificate Format – July 2003

<http://www.cdfa.ca.gov/dms/notices/weighmaster/2003/W-03-1.pdf>

Notice re Weighmaster Certificate Format – June 2002

Caltrans – Truck Services

General number - (916) 654-5741

Office of Truck Services - <http://www.dot.ca.gov/hq/traffops/trucks/>

Truck Weight Requirements - <http://www.dot.ca.gov/hq/traffops/trucks/trucksize/weight.htm>

California Vehicle Code - Sections 35550-35558

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=veh&group=35001-36000&file=35550-35558>

California Highway Patrol

General number - (800) 835-5247.

Commercial Vehicle Section – http://www.chp.ca.gov/depts_divs_offs/cvs.html

Commercial Industry Education Program - <http://www.chp.ca.gov/programs/ciep.html>

Department of Motor Vehicles – Motor Carrier Division

General Number - (916) 657-8153.

<http://www.dmv.ca.gov/vehindustry/mcp/mcpinfo.htm>