

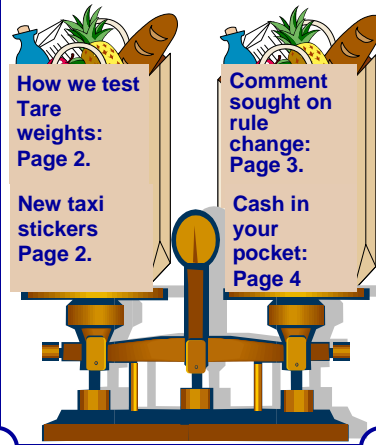


AZDWM Alert

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Inside AZDWM Alert:



Who says the tax man never shows mercy?

The only sure things in this world are death and taxes, so when you owe money to the tax man, you'll have to pay up eventually.

That's why it's good news that the **Arizona Department of Revenue** is offering amnesty this month to anyone who comes clean and offers to pay what they owe.

Between May 1 and June 1, Revenue will forego civil penalties and offer a reduced interest rates on underreported money.

For details on the amnesty program visit their website: www.azdor.gov/taxamnesty

If it's being sold by weight, don't pay for the packaging

When you're counting every penny, it's nice to know that someone is checking the tare.

That's what the Arizona Department of Weights and Measures does every time it inspects a package of meat, a gallon of milk or a quart of pasta salad: they make sure the net weight does not include the weight of the packaging – also known as "tare."

Thousands of such inspections were conducted in the past few years, but a new computer-driven technology will allow for more annual tests, at a reduced cost to taxpayers.

The test relies on a program known as "WimWam." It connects an inspector's lap-top computer directly to a scale. It allows the weight of an item to be checked with pin-point accuracy by collecting the gross weight, the tare weight, and the net weight of the commodity being offered for sale.

It even calculates the percentage of any error, and the dollar amount that a consumer might be over-charged.

"We just completed a test in about two hours that would have taken eight hours to finish the old way," said Linda Wetzel, a Department investigator who is helping to implement the new testing system.

Reducing the time it takes to finish a



Are the weights on these steaks accurate? Investigators Linda Wetzel and Cindy Dilworth find out. (see page 2)

test means more tests can be conducted in an eight-hour day. In addition, the stores get the results quickly, in an easy-to-read printed form.

How is Tare Measured?

The package (Tare) weight is determined through the use of precision-oriented procedures spelled out in Handbook 133 of the National Institute of Standards and Technology (NIST). This tiny amount of weight can add up to real money for most shoppers. **See Page 2 for details.**

This is how Tare weights on packages of meat are tested for accuracy



First the weight of each meat package is entered into a computer. Then the packaging is removed, cleaned and weighed.

Test	Gross Wt	Tare	Net Wt	Labeled Wt	Error	MAV	Cost Err	% Err
1	3.086	0.064	3.022	3.050	-0.028	0.094	(\$0.25)	-0.9%
2	3.018	0.064	2.954	2.980	-0.026	0.094	(\$0.23)	-0.9%
3	2.374		2.310	2.340	-0.030	0.078	(\$0.27)	-1.3%
4	2.600		2.536	2.570	-0.034	0.086	(\$0.31)	-1.3%

Results: Fail
MAV Failures: 0

Average Error: -0.029 lb
SEL: -0.0055

Lot Cost Error: (\$1.04)
StdDev: 0.0035

This chart shows actual test results for some packages of steaks that were tested recently. The actual Tare weight was 0.064. The meat showed a tare of .03. Any consumer who purchased these items would have been overcharged by 25 to 31 cents per package (see column marked "Cost Err.") The manager changed the labels to eliminate the overcharge but the store still faces civil penalties.

Taking a taxi? Look for a Red 2010 sticker starting this month

If you operate an Arizona taxi, livery vehicle or limousine – or if you think you’ll be a passenger – look for a new red Weights and Measures sticker starting this month.

In May the Department will begin issuing 2010 stickers to more than 4,600 vehicles for hire. They will only be found on vehicles that can operate legally on Arizona roadways.

By June 30, 2009, any vehicle that doesn't have a red sticker is not authorized to operate in Arizona. The only exception is limousines. They must have a valid sticker, but it doesn't have to be on display.

Owners of a taxi, livery or limousine must submit proof of insurance and pay a \$24 annual fee. The taxi license is automatically canceled for any operator who fails to obtain their sticker during June, and

must pay a \$4.80 per month late fee—in addition to the \$24 fee—to be reinstated. If they operate without a valid sticker they face civil penalties that start at \$300 per vehicle and may go considerably higher., depending on the nature of the violation.



Vehicles carrying this sticker meet the following requirements:

- ◆ Drivers have a valid Arizona license, and the vehicle is properly registered.
- ◆ Passengers are covered by an insurance policy of \$300,000 or more, depending on passenger capacity, that

covers passenger injury, property damage, or an accident involving an uninsured motorist.

- ◆ The taxis have a sealed taximeter, and rates are posted in one-inch letters.
- ◆ Livery vehicles post their rates with one-inch letters at least until the passenger has agreed on the fare.
- ◆ Limousines cannot solicit fares. They must be hired in advance.
- ◆ Taxis have a valid taxi license plate. Many, if not most, have licenses that include the letter "Z" in the plate number, though some may have blue-and-white environmental plates, commercial plates, so-called "vanity" plates or handicapped plates. Limousines and Livery vehicles may display commercial or personalized plates.

Public comment sought on rule changes

A change in the rules governing Arizona's vapor-recovery systems and the requirements for motor fuels took another step forward in early May when the Department collected comments

from stakeholders.

The Department heard from a number of groups about the new rules, which will provide industry with more flexibility while assuring technicians licensed to perform work on fueling devices and vapor-recovery systems have the right kind of expertise.

While most stakeholder comments generally were in support of the proposals, all comments will be reviewed and will likely lead to some minor revisions before the rule changes are formally submitted in the fall.

Federal laws require vapor recovery systems on all service stations in Area A. This includes portions of Maricopa,

Yavapai and Pinal counties that surround the Phoenix Metropolitan area.

Rules changes affect the technicians that repair and test vapor-recovery systems. The changes will also modify paperwork that documents fuel shipments, and biofuel labels will face new requirements, among other changes. See the following articles for details.

What's next?

Comments about the two sets of rule changes are going to be incorporated into a final set of proposed rule changes that will be submitted to the Arizona Secretary of State's Office. Following that process there will be time for additional comment. The Department hopes to institute the new rules by January, 2010.

Did you miss the meeting? Submit comments via email

If you have comments to make but missed the May 5 meeting, it's not too late.

Submit any additional comments by emailing dyantorno@azdwm.gov.

Rule changes create 2-tiered system for regulating RSRs

A two-tiered system would be established for technicians authorized to repair and test vapor-recovery systems required to be installed in retail fueling stations in Area A.

Area A includes portions of Eastern Maricopa County and portions of Yavapai and Pinal counties. Vapor recovery systems are designed to reduce ozone emissions by recap-

turing fuel vapors that would otherwise escape into the atmosphere.

Companies that maintain vapor-recovery systems must obtain Weights and Measures licenses that show they are qualified to operate as a Registered Service Agency (RSA). Technicians who work on systems must be licensed Registered Service Represent-

tatives (RSRs).

Level 1 RSRs would be authorized to conduct the annual test which establishes that a vapor recovery system is operating properly.

Level 2 RSRs would only be authorized to repair and test specific components of the vapor recovery system

Biofuels standards, product transfer documents to change

New standards would be established for E85, Biodiesel and other types of biofuels by rule changes under consideration by the Department of Weights and Measures.

The rules also affect the Product Transfer Documents that are used to track fuels as they move from refineries to retail outlets.

The biofuel standards codify changes in state biofuel laws that were adopted by the Legislature in 2008.

They incorporate definitions and fuel quality standards established

by ASTM International, formerly the American Society for Testing and Materials, for various grades of biodiesel and biofuels. This includes such things as the chemical composition, water content and vapor pressure, and sets forth reporting requirements for blenders, marketers and producers.

E85 is 85 percent ethanol and 15 percent gasoline. This is different than the E10 that is currently used in Maricopa County.



Need more details? Visit the Department's website: www.azdwm.gov.

Standards for E85 and other biofuels are currently spelled out in state law. For more information see "E85 coming to Arizona" on our home webpage.



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Weights and Measures Inspection data

Inspection Type	Latest Month	Year Ago	Total by this point in FY2008	Total so far in FY2009
Total Inspections	3,543	3,805	28,712	30,894
Nbr. Of inspections triggered by consumer complaints	162	219	3,039	4,277
Civil Penalties Collected	\$72,800	\$85,400	\$659,300	\$908,600
Total Revenue Generated by Weights & Measures	\$201,800	\$214,900	\$2,339,900	\$2,289,500
Net Revenue to state (Minus GF Appropriation)			\$629,100	\$695,900

The chart above displays the number of inspections conducted so far during the fiscal year that ends June 30, 2008, compared with the same period during the previous fiscal year. It shows that more inspections were conducted. This includes inspections triggered by consumer complaints. It also shows that, while generating revenue is not the Department's goal, we raise more money for the state than we cost.

Director's Message: Our inspections put money in your pockets

The more time I spend with our staff, the more impressed I become.

In some ways the name of this agency understates our mission.

Yes, Arizona can be proud of a prestigious Metrology Lab that has a highly coveted Echelon 2 rating from the National Voluntary Laboratory Accreditation Program.

Thanks to them, Arizona consumers can be confident about the accuracy of commercial scales.

But our 24 Weights and Measures Investigators do so much more. We check retail gas pumps. We make sure store prices are clearly posted, and correctly charged. Each

year we intervene in dozens of moving company complaints. Each saves an Arizona family \$1,500, on average.

This newsletter has an article on our taxi program, which ensures that vehicles for hire offer clear and accurate prices. We also make sure that passengers of cabs, livery vehicles and limousine are fully insured.

So look for that new red taxi sticker.

We also talk this month about our improved package test program. It makes sure a package of meat, or half-gallon ice cream, delivers what is promised.

Occasionally we find prob-

lems. We offer the results of one test in which a supermarket was overcharging for by 23 to 31 cents each for packages of steak because the tare weight was miscalculated.

We also found overcharges during that test on pork ribs, sausage, ham and fresh fish – a total of \$21.51 in package overcharges. We took those products off-sale and made sure the prices were corrected.

In other words, every time we do an inspection – and we conducted more than 45,000 in 2008 - we make sure you get what you pay for.

Over the next few weeks I will be spending a little



Gene Palma

time in the field, watching and learning from our excellent staff. They have a lot to teach me, and I hope their lessons will help me improve the service we provide to you, the people who pay our salaries.