



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

SP-93-002-CE

Subject Motor Carrier Safety Assistance Program (MCSAP)
Policy on Purchase of Portable Scales

Date December 29, 1992

From Director, Office of Motor Carrier
Field Operations

Reply to
Attn of HFO-30

To Regional Directors, Office of Motor Carriers

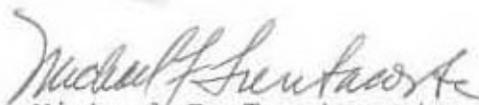
With the advent of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 came additional activities which are eligible for MCSAP funding. The enforcement of some commercial vehicle size and weight limitation activities is fundable if such activities are carried out in conjunction with a MCSAP-eligible inspection. These size and weight activities must be performed at locations other than fixed weight facilities, at specific geographical locations (such as steep grades or mountainous terrains) where the weight of a commercial motor vehicle can significantly affect the safe operation of such vehicle, or at seaports where intermodal shipping containers enter and exit the United States.

The purpose of this memorandum is to discuss the eligibility of purchasing portable scales with MCSAP funds. While there is no prohibition in the MCSAP regulation, the enabling ISTEA legislation, or the OMB circulars which would prevent grant funds from being used for this purpose, for several reasons, we do not anticipate that much MCSAP funding will be used for this purpose. First, size and weight enforcement is not a primary function of MCSAP and eligible size and weight activities are specifically limited by the ISTEA. Second, each proposal must be evaluated on its merits based on the program needs of a State, keeping in mind that the purchase of scales must not diminish the effectiveness of the State's commercial motor vehicle safety program. And third, Title 23 funds are available for this acquisition, and have been used in the past to fund the purchase of scales. States should be encouraged to explore this possibility.

Several additional things must be considered before approval is given. As with all equipment purchased with MCSAP funds, use of the portable scales would either have to be 100 percent dedicated to MCSAP or the Federal share of the cost would be prorated in accordance with the estimated time used in conjunction with MCSAP activities, i.e., scales used 50 percent of the time for MCSAP would be eligible for 80 percent of 50 percent of the cost.

This interpretation can also be applied to the payment of the salaries of size and weight officers in terms of individual needs of the State, efficient use of funds, and time dedication to the MCSAP.

Please direct any questions to Ms. Nancy Emanuel at 202-366-2948.



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