



North Carolina Department of Crime Control and Public Safety

Michael F. Easley, Governor

Bryan E. Beatty, Secretary

February 9, 2004

The Honorable Marc Basnight
President Pro-Tempore
North Carolina Senate
State Legislative Building, Room 2007
Raleigh, NC 27601-2808

The Honorable James B. Black
Speaker of the House
North Carolina House of Representatives
State Legislative Building, Room 2304
Raleigh, NC 27601-1096

The Honorable Richard T. Morgan
Speaker of the House
North Carolina House of Representatives
State Legislative Office Building, Suite 301
Raleigh, NC 27603-5925

Dear Senator Basnight, Speaker Black, and Speaker Morgan:

Pursuant to Section 23.1 of the Current Operations Appropriations Act of 2001, the State Highway Patrol's Motor Carrier Enforcement Section reports its intent to use **\$41,458.00** in Federal Seizure funds from the Motor Carrier Enforcement Section's Asset Forfeiture Fund for the following project:

The Highway Patrol would like to purchase a single device that can be used to calibrate commercial motor vehicle scales. Currently, approximately 1,400 portable scales are used by SHP Motor Carrier Officers to perform size & weight enforcement activities on North Carolina's highways. Prior to the merger, each individual Officer was required to have his or her scales calibrated each year.



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Page Two
February 9, 2004

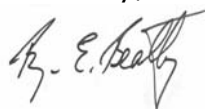
This was done by transporting the equipment to the former DMV Enforcement Section Supply Unit. If a technician was immediately available, the scales were calibrated then. In the absence of the Technician, our personnel were forced to leave the scales in Raleigh to be picked up at a later date.

The above process is inefficient because it precludes certain officers from having the tools needed to provide size and weight enforcement whenever a DMV Technician is not immediately available. Implementing a means to save enforcement down time, vehicle maintenance and travel expense, the State Highway Patrol has now placed additional calibration devices (load cells) at strategic locations within each of the agency's eight Troops. This paradigm shift allows Officers and Troopers who use portable scales to have improved access to calibration and certification tests.

To survive judicial scrutiny, however, these eight testing devices must themselves be tested and certified. The Patrol proposes using \$41,458.00 in Federal Seizure monies to purchase a single certification device, called a "Truck Wheel Load Calibrator." Upon completion of this purchase, only the eight load cell testing devices located within each calibrator within each Troop will need to be shipped to Raleigh each year for certification renewal. The North Carolina Department of Agriculture, Standards Division, will administer the annual certification tests for the troop load cell devices. This will result in a cost savings of several thousand dollars each year, through reduced fuel consumption and less wear and tear on Patrol vehicles.

As of December 31 2003, the Motor Carrier Enforcement Section's Federal Seizure fund had an unencumbered balance of \$455,317.00. If this request is approved, the new balance of this fund will equal \$413,859.00.

Sincerely,

A handwritten signature in dark ink, appearing to read "B. E. Beatty", with a stylized flourish at the end.

Bryan E. Beatty
Secretary

BEB:CJC:tcc

cc: Colonel R.W. Holden

Major W.F. Clay
Major W.D. Munday
Major C.J. Carden
Bennie Aiken