

Veto No. 1978-14

HB 282

October 5, 1978

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 282, Printer's No. 2144, entitled "An act amending the act of December 1, 1965 (P.L.988, No.368), entitled 'Weights and Measures Act of 1965,' providing for the disposition of fines and making certain exemptions."

This bill amends the "Weights and Measures Act" to allow coal to be weighed at point of sale or delivery. Section two of the Solid Fuel Law requires that any coal transported, sold or delivered on a public highway must first be weighed by a licensed weighmaster of the Commonwealth of Pennsylvania on accurate scales. Thus, coal must be weighed at the mine or break point.

The Solid Fuel Law further provides that coal sold, transported or delivered must be accompanied by a weighmaster's certificate indicating the kind and size of the coal, the name and address of the seller as well as the purchaser, the license number of the vehicle and trailer, the signature and license number of the weighmaster, and the date and hour when weighed, as well as the gross weight of the vehicle and load.

The amendment to this bill to the Weights and Measures Act would effectively eliminate the requirement of the weighmaster and weighmaster certificates under the Solid Fuel Law, and allow coal to be transported on highways without being weighed or without a certificate.

The Solid Fuel Law provides protection for the consumer of solid fuel, as well as providing the means for enforcement of weight limitations on highways. These two purposes are too important for me to permit their subversion by Senate Bill 282.

It is unfortunate that this veto necessarily includes the amendment Senate Bill 282 provides to section 36.1 of the act. This amendment provides for the disposition of fines to go to that unit of government responsible for bringing about the conviction. This amendment was what I had originally proposed. It would have provided necessary additional income to the treasury to help support the expenses in regulating our weights and measures laws. But I cannot allow the entire weighmasters program to be subverted in order to have the disposition of fines changed.

For these reasons the bill is not approved.

MILTON J. SHAPP