



## Governor Brewer leads fight against credit card scams at gas pump

Governor Brewer's proactive efforts to combat against credit and debit card "skimming" devices at local gas stations are already showing positive results throughout Arizona. Inspectors, industry technicians and law enforcement officers have all stepped up their individual detection efforts and enforcement practices, while individual reports to the Department of such scams at the gas pump have slowed.

Skimmers are illegal devices that can copy the electronic data encoded into a credit card. Criminals who commit

identity theft can use that data to make counterfeit credit and debit cards or can make electronic purchases without the victim's knowledge.

This past September, Governor Brewer assembled the primary forces in Arizona that are combating credit and debit card crimes being committed at local gas stations. The training semi-



Gov. Brewer convenes police and state inspectors to fight credit card scams at the gas pump

## Weights and Measures featured on National TV fighting illegal moving scams

"The Early Show with Harry Smith" of CBS television in New York, aired a story last month on the Arizona Department of Weights and Measures' ongoing efforts to combat moving scam overcharges. The story featured a Philadelphia resident moving from Philadelphia who had signed an initial contract for \$3,400 with an interstate moving company, yet upon arrival was asked to pay \$9,053.

The Early Show Consumer

Correspondent Susan Koepen reported that nationwide, "over the past three years, the Better Business Bureau has received over 27,000 moving-related complaints."

After Weights and Measures intervened in the case, the company ultimately agreed to make the delivery and honor the original price. In addition, the Federal Motor Carrier Association has now opened an

investigation into this specific case to see what federal laws might have been broken and whether any citations will be issued.



State Investigator—JJ Stroh

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# Gov. Brewer Leads fight against credit card crimes at gas pump Continued..

nar included several law enforcement officers from throughout Arizona, state inspectors from the Department of Weights and Measures, gas station industry security representatives, as well as a federal representative of the United States Secret Services. Training to specifically increase detection of “skimmers” inside gas pumps, as well as find innovative improvements to combat against such criminal activity were addressed.

Just one month after Governor Brewer brought industry and law enforcement together, a participant from the meeting

discovered a “live” device inside a gas pump while following the new protocols for detection. As a result, the U. S. Secret Service Agency and local law enforcement officials were called in, seized the device, and opened an additional investigation.

Following the Governor’s law enforcement meeting, the Department of Weights and Measures has also followed up with visits to several other police departments throughout the state for further training exercises on skimmer detection.

The Department will be pursuing further discussions with industry and law enforcement over the next year on additional improvements identified at the Governor’s training meeting.

Ideas that have come forward include the potential creation of an alert system that could improve oversight and keep everyone on the lookout for such criminal activity in a more timely fashion.

Governor Brewer’s call for increased inspections and better oversight to protect the public has been implemented by Weights and Measures as ordered.

## State Inspectors Check Airline Luggage Scales at Sky Harbor *Airline Baggage Scales Primarily Accurate*

Entering into the busy holiday travel season, travelers at Sky Harbor airport can take some solace in the recent findings released today by Arizona’s Department of Weights and Measures which concluded that the overall luggage scales used by airlines in the terminal are accurate. The agency specifically looked at the scales of each airline doing business at Sky Harbor Airport in Terminal 2, Terminal 3 and Terminal 4, including curbside and ticket counter baggage scales.

The inspections were conducted by 3 teams of investigators during the second week of November. The final results indicated the large majority of scales were properly calibrated to calculate the weight of airline traveler’s baggage.

In all, 154 individual airport luggage scales were tested, 8 scales were not considered accurate, of which 6 of those were inaccurate but in the customer’s favor.

“As most airlines are now charging customers for overweight bags, our analysis is timely and important in assuring consumers aren’t being overcharged,” said Shawn Marquez, Director of Compliance at Weights and Measures, “These results indicate travelers in Phoenix should feel assured that the luggage being checked

by airlines is currently weighed on accurate and properly calibrated scales at Sky Harbor Airport.”

As part of this analysis, state inspectors reviewed for baggage scale accuracy to verify each scale is within tolerance including that the device starts at zero, then after usage returns to zero. Inspectors also tracked for underweight and overweight scale tolerance, that the device itself was level before weight is applied, and the readout display was working properly and visible to the customers.

Additionally, state inspectors check that the scales are licensed with the Department of Weights and Measures, that the device has proper federal certification, that the scales themselves are approved for use in Arizona, and that each scale has the required tamper-proof seal.

Consumers who have a complaint can call Weights and Measures at (602) 771-4920 or fill out an online -complaint form on our website at [www.azdwm.gov](http://www.azdwm.gov).



*Investigator Lloyd Austin placing weight standards on scales at Sky Harbor*

# City of Phoenix proposes new \$350 annual fee for Taxi/Livery/Limousines

The City of Phoenix recently held public meetings regarding new proposed regulations that would create new annual fees of approximately \$350 on each taxi, livery and limousine driver and require new criminal background checks. The regulations also call for “vehicles for hire” to pay for a vehicle safety inspection before receiving a city permit.

Weights and Measures Director Tyne testified at the Phoenix public meetings held on November 8th and 15th expressing some concerns about the new city regulation proposal.

The Department has taken no formal position on the proposal. Director Tyne testified, “The Department of Weights and Measures fears that such additional costs could force individual cab drivers to do business “underground” so as to directly avoid these newly proposed fees. Indeed, if implemented, your new regulations may have the adverse effect (just as in other jurisdictions) where drivers decide to not get licensed or get proper markings on their vehicles or carry



*Director Tyne testifies at City of Phoenix public meeting*

the required insurance policy coverage, because they can no longer afford it.”

The Director also warned of duplication between governments like having numerous stickers placed on the rear window of vehicles, and unnecessarily spending tax dollars on insurance validation (already reviewed by Weights and Measures).

A formal policy is to be drafted and re-

leased for further public evaluation in January. It is anticipated that a City Council subcommittee and full City Council hearing will be held in Spring of 2011.

The Department was also recently contacted about similar fee increases proposed at the City of Tucson.

## Increased Workload for State Metrology Laboratory

In 2010, Arizona’s nationally accredited metrology laboratory saw a dramatic increase in the amount of tests and calibrations it conducted while measuring commercially utilized standards and devices. The Weights and Measures lab is one of 16 such accredited labs in the country.

Our lab conducted 8,272 tests and calibrations for various industries including pharmaceutical, aerospace, law enforcement, telecommunication as well as state and local government agencies. In all, this was 725 more tests for the year than the metrology lab conducted in 2009.

Testing on commercial weights can be as small as one milligram or as big as 5,000 pounds; while volumes are checked from one gallon to as large as a 500 gallon prover. The DWM metrology lab is the official custodian of measurement stan-

dards for the state of Arizona, and the lab maintains primary standards in mass and volume that are traceable to the National Institute of Standards and Technology (NIST) in Bethesda, Maryland.



*In October, the DWM Metrology lab calibrated these four 5000lb individual weights for Peabody Energy.*

# New “Fuel Tax Sticker” posted at gas pumps detail taxes on each gallon of gas

In the last legislative session, Representative Warde Nichols (Legislative District 21 - Gilbert/Chandler) successfully passed legislation into law that requires new stickers be placed on each gas pump in Arizona. The stickers specifically outline federal and state fuel taxes on each gallon of gasoline.

Department inspectors have begun adding these newly required stickers on gas pumps during their regular process of inspecting devices for compliance. The Department was given 5 years to add stickers to all of the approximately 12,000 individual gas pumps currently in existence in Arizona.

According to the new law, any station site found not to have the stick-

ers posted after 5 years will be considered out of compliance and subject to an Administrative Order as a violation. The station will then be allowed 24 hours to have the stickers applied, or a civil penalty would be imposed.

The legislation further anticipates that retailers would be responsible for replacing any stickers that had been removed. A template of the sticker will shortly be available on the Weights and Measures website ([www.azdwm.gov](http://www.azdwm.gov)) specifically for use by the retailers.



## Consumer Tips: Ways to Save on Gas Prices

Weights and Measures can't do much in keeping gasoline prices stable; nevertheless, our investigators are closely monitoring gas station pumps and business practices to ensure that consumers get what they pay for.

Our investigators are also using highly accurate equipment to inspect all types of scales, meters and scanning equipment.

Here are some good cost-saving tips for you to consider:

### **SAVE GAS AS YOU DRIVE**

- Don't drive aggressively. Hard acceleration and braking waste fuel, which lowers mileage by five percent in cities and by an incredible 33% on highways.
- Drive no faster than the speed limit. Each five m.p.h. over 60 costs you an additional 10 cents a gallon.
- Turn off the air conditioner when you can. It robs power from the engine

and uses additional fuel. If the weather permits, use the flow-through ventilation system instead of rolling down your car windows.

- Buy regular gasoline. If your car specifies regular fuel, don't buy premium under the mistaken belief that your engine will benefit. If your car's manufacturer specifies premium, you may wish to contact the manufacturer to ask if it's all right to use regular instead. Most cars run fine on regular, which generally is at least 10% less expensive than higher grades of gas.

### **IMPROVING VEHICLE EFFICIENCY**

- Watch your tires. Under-inflated tires require more energy to move the car, which wastes fuel. Being under inflated by just two p.s.i. (pounds per square inch) can increase fuel use by one percent.

- Get a tune up. Maintaining your car with regular tune ups can save you up to six cents per gallon. A clogged air filter alone can rob fuel efficiency

### **TIPS WHEN BUYING GASOLINE**

- Look for the decal indicating that the gasoline pumps have been tested by the Department of Weights and Measures.
- Make sure the price advertised on street signs and pump signs is the same as the price showing on the pump itself.

Should you want to file a complaint with the Department of Weights and Measures, go online to [www.azdwm.gov](http://www.azdwm.gov) and click on “File a Complaint.”

## Director's Message—Weights and Measures focused on public outreach and education programs

The past year has been an exciting and successful one for the Department of Weights and Measures, especially in our pursuit to foster a fair, competitive, and informed marketplace in cooperation with consumers, and the business community.

Central to the existence of a fair marketplace is the provision of effective consumer education programs, and the agency has remained very proactive in this area. For example, this year, the agency significantly increased public outreach and public relations to increase consumer education. Each month, Weights and Measures disseminated consumer interest stories and worked with local media on disseminating agency inspection results that were aired on television, radio and print media.

We re-engineered the agency newsletter which is now sent out quarterly to industry, government, and other interested readers.

Our staff conducted several educational seminars at local supermarket chains and retail stores to help employee's focus on

accuracy with pricing and packaging of retail merchandise. The programs included Weights and Measures investigators walking the supermarket employees through the store and pointing out potential violations or non-compliance issues.

At Governor Brewer's direction, this year the Department worked directly with law enforcement, gas station industry reps, and state investigators to educate and train on the most effective measures to prevent credit/debit card scams at Arizona gas stations. This specific educational effort led to best practices and protocols being followed in local police departments throughout Arizona.

Speaking of law enforcement, we also upped our effort to educate local police departments on the laws applied to taxi and other vehicles for hire. Weights and Measures inspectors travelled across the state helping officers better understand insurance requirements, mandates for utilizing meters and for signage, and other potential civil penalty infractions.



*Kevin Tyne - Director*

Our annual transportation fuels report was released this Fall providing terrific insight into Arizona's fuel market. This resource guide gives decision makers valuable information about the impacts that state policy has on supply and demand.

And of course, our staff increased assistance to the consumers themselves, handling nearly 2,000 complaints filed in the past year alone. With a well balanced program of service improvements and educational programs, the Department remains well placed to do its part in fostering a fair marketplace for all Arizona.

## Weights and Measures helps out with important new DUI Program

In November, Weights and Measures was once again a proud participant with the Governor's Office of Highway Safety's DUI program.

This year's statewide "Drive Hammered – Get Nailed" DUI Campaign held its press conference at the Capital.

Weights & Measures has been an active participant in this life-saving program for years, providing taxi oversight for this program. This year we joined with Glendale Police Department by getting updated taxi signs to their "GPD – DUI – Taxi." This vehicle has listed on the vehicle the penalty amounts for DUI and other such crimes, and is used to encourage drivers to consider safe transportation options to get home safely.



*New "DUI Taxi" in Glendale*



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We're on the Web

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## Arizona Department of Weights and Measures **TOP TEN CONSUMER COMPLAINTS** Fall Quarter (Aug–Oct)

- 1. Gas Pump Discrepancy – 196 complaints**  
*Defective Equipment/Questionable Amount Dispensed*
- 2. Price of Gasoline – 74 complaints**  
*Price/advertising discrepancy/billing dispute*
- 3. Retail Cash register/UPC scanner – 58 complaints**  
*Price discrepancy/billing dispute*
- 4. Retail Price Posting – 34 complaints**  
*Price discrepancy/advertising/billing dispute*
- 5. Fuel Quality – 10 complaints**  
*Octane Discrepancy/Quality dispute*
- 6. Small Scales – 9 complaints**  
*Defective equipment/price*
- 7. Packaging – 7 complaints**  
*Weight discrepancy/advertising discrepancy*
- 8. Vehicles for Hire – 6 complaints**  
*Taxi overcharges/billing dispute*
- 9. Large Scales – 5 complaints**  
*Price/defective equipment*
- 10. Moving – 3 complaints**  
*Price/advertising discrepancy/billing dispute*

## Consumer Q & A

**Q: What is the difference between taking a “taxi cab” for transportation versus taking a “livery vehicle” or “limousine” for transportation to a location?**

**A: A taxi must utilize a meter inside the cab and must have their rates posted in one-inch letters on the outside of the vehicle. A livery vehicle also requires rates to be posted but do not use a meter and instead transport passengers at a flat rate. A limousine cannot solicit fares and must be hired in advance. In addition, all taxi and livery vehicles must display the official Weights and Measures sticker in the rear windshield, whereas limousines are not required to display the sticker.**

**Q: If the price listed on the shelf in a retail store does not match the price charged at the cash register, do I receive the product for free?**

**A: No, however many locations do have credit policies or other individual corrective action for the customer. Every store is required to make available a scanning error policy which dictates for the consumer how the individual store will take corrective action.**