

### Division Overview

- **Pending matters of significance**

- Livestock scale inspections out of the Sparks office are nearly completed as of submission of this update, and will have been completed, barring rechecks, by the end of August. As of early August, only those scales in the Fallon and Fernley area remain to be inspected.
  - Staffing and equipment challenges have delayed inspections out of the Elko office considerably. Throughout August and September, two crews will be working at the same time to get scales certified. Inspectors from the Sparks and Las Vegas offices have been pressed into service to deal with these delays. This situation has also highlighted deficiencies in how this program has been handled by the Division. These deficiencies encompass the physical activity (equipment preparation and readiness) and more importantly our communication with the industry. Both of these systems need to be improved dramatically and will be.
- As stated in the June 2023 update, the division has purchased and received an electric vehicle supply equipment (EVSE) test measure, in order to evaluate the process of certifying commercial charging stations used by the public. The test measure is currently being kept at the Las Vegas office and is being used to test charging stations in the Las Vegas area.
  - A list of charging stations in the Las Vegas valley has been developed, and while this has been helpful in facilitating testing, it has also been found that a number of these are not readily accessible to NDA personnel, such as those behind the closed gates of businesses or apartment and condo complexes.
  - Because charging stations are not currently required by regulation to be registered, the Division doesn't receive Placed-In-Service reports when charging stations are installed, so at present it's a challenge to stay current on the number of charging stations available to the public.
  - The NDA is continuing to monitor proposals under consideration by the NCWM to further amend Section 3.40 of the National Institute of Standards and Technology (NIST) Handbook 44. At the recently concluded Annual meeting, a proposal was voted on and did not garner sufficient votes for adoption. While having merit, it was found to need additional work.
- The Division is preparing paperwork and quotes to purchase new and replacement equipment requested and approved in the Fiscal Year 24/25 Biennial Budget. This includes replacement vehicles for the Weights & Measures program, as well as test measures and weight kits for the Metrology program. Metrology has also been approved to purchase a new forklift to replace the current unit that was purchased in 1990. Complicating

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the purchase of vehicles is the continuing scarcity of appropriate trucks. While the situation is not as serious as it has been, the Division still has a backlog of replacement vehicle purchases to make from the Fiscal Year 22/23 Biennial Budget as well.

- **Division staffing**
  - The Las Vegas office is fully staffed, and all but one member of the team has advanced past the probationary period. That employee will be starting the training to obtain his CDL very shortly.
  - The Sparks office is nearly fully staffed as well, with only one full-time vacancy, that of an Inspector II. That position was underfilled at the Inspector I grade, but the employee and the Division have since parted ways. The previously open position of Chemist V, supervisor of the Petroleum Technology program has been filled, with the successful candidate having started on July 10. One other member of the team is in their probationary period, and that ends in October of this year.
  - The Elko office has gone from unstaffed to fully staffed since the June Board of Agriculture meeting. We were fortunate to find a candidate at the Inspector III level, and since his start on July 10, his training has gone very successfully. In addition, a new Inspector I (underfilling the vacant Inspector II position) also started on July 10, and that employee has shown a great enthusiasm for working in the Department of Agriculture.
- **Administrative Rulemaking**
  - **R070-22 (NAC 581 – State Sealer):** Makes various changes to the regulations governing weights and measures, which were outlined in some detail in the December 2022 Division Report.
    - The Small Business Impact statement has been reviewed and approved by the Director. A list of stakeholders is being prepared, and a workshop for this regulation file will be scheduled for the fall of this year.

### Program Updates

**Because the last Board report was prepared in late May, final metrics for Fiscal Year 2023 are included, as well as current metrics for Fiscal Year 2024**

- **Metrology – As of August 10, 2023**
  - FY23 total items calibrated: 2,536
  - FY24 total items calibrated: 111
- **Petroleum Technology – As of August 8, 2023**
  - FY23 total fuel samples tested: 3,387
  - FY23 fuel sample failures: 111
  - FY23 fuel quality consumer complaints: 22
  - FY23 fuel price accuracy consumer complaints: 17
  - FY24 total fuel samples tested: 131
  - FY24 fuel sample failures: 5

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- FY24 fuel quality consumer complaints: 4
- FY24 fuel price accuracy consumer complaints: 1
- **Weights and Measures – As of August 10, 2023**
  - FY23 devices inspected: 37,576
  - FY23 package and price verification inspection hours: 309.00
  - FY23 repair orders issued: 881
  - FY23 stop-use orders issued: 326
  - FY23 weights and measures consumer complaints: 66
  - FY24 devices inspected: 4,581
  - FY24 package and price verification inspection hours: 27.00
  - FY24 repair orders issued: 7
  - FY24 stop-use orders issued: 9
  - FY24 weights and measures consumer complaints: 3