

# March 15, 2024 Board Report

## Division of Measurement Standards

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### Division Overview

- **Pending matters of significance**

- Legislative Counsel Bureau (LCB) File No. R070-22 makes various changes to the regulations governing weights and measures.
  - Workshop was held on December 12, 2023
  - Hearing scheduled for March 12, 2024, before the State Sealer
- Adoption of R070-22 will provide authority to test Electric Vehicle Supply Equipment (EVSE) devices.
  - Developing operating procedures and proposed regulations to address EVSE Testing
  - Items before the National Conference on Weights and Measures (NCWM) concerning EVSEs include:
    - Using a mobile phone to indicate price, quantity delivered, total cost, etc., for Alternating Current (AC) chargers
    - Acceptable test tolerances for Electrical Vehicle (EV) testing
    - Standardization of allowable display of delivery
    - EVSE testing methodology
- Efforts to improve communication with ranchers regarding livestock scale testing
  - Communications sent a blast email directed at those who own scales
  - Measurement Standards sent letters to all registered ranches
  - Respondents able to fill out an online form, helping us create a database
  - 105 responses as of February 16
- 83<sup>rd</sup> Legislative Session (2025)
  - Preparing Bill Draft Reports (BDR) to update Nevada Revised Statute (NRS) 590 to account for changes and modernization of fuel station signage and labeling
  - Anticipating industry to submit a BDR to make changes to the Petroleum Inspection Fee

- **Partnership activities**

- Advisory Committee on the Control of Emissions from Motor Vehicles
  - Smog Free Clark County (81<sup>st</sup> Legislative Session, AB349)
    - Vehicle repair pilot program, provide financial assistance
    - Program was successful but needs finetuning to be more effective
- Seraphin, the leading manufacturer of volumetric standards, has asked the Metrology Lab to assist with certifying test measures for other customers
  - Seraphin only uses three National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratories for this work (Nevada, Pennsylvania, New York)
  - Opportunity came from an established relationship with Seraphin, and the program's ability to provide excellent service with short turnaround times

# March 15, 2024 Board Report

## Division of Measurement Standards



### Program Updates

- **Metrology**

- Received their annual Certificate of Metrological Traceability from the National Institute of Standards and Technology (NIST) in January
  - Laboratory scope includes Mass Echelon II, Mass Echelon III, Volume Gravimetric I, Volume Transfer II, and Volumetric II, LPG
- The lab is preparing for their biennial NVLAP Certification onsite visit.
  - Had not been scheduled as of 2/16/2024, expected for late March
- Fees for NVLAP certification
  - Costs for certification have been paid by NIST previously
  - After 2024, labs will need to pay fees (annual ~ \$6,000 administrative technology fee and biennial onsite assessment fee of ~ \$7,500) for certification
- Attended 2024 NCWM Interim Meeting in New Orleans, LA
  - Participated in the Metrology Subcommittee Focus Group meeting
- Metrologist will be providing forklift training to Weights & Measures staff
  - Several spots to other divisions that may have the need
- **Program metric as of February 14, 2024**
  - FY24 total items calibrated: 1099 (714 since November 8, 2023)

- **Petroleum Technology**

- Met with representatives from the Nevada Highway Patrol (NHP) and the Department of Motor Vehicles (DMV) to discuss the unlawful use of red-dyed diesel fuel
- Met with representatives from DMV and Nevada Division of Environmental Protection (NDEP) to discuss potential actions to stop unlawful, 'backyard' sales of diesel fuel
- Attended 2024 NCWM Interim Meeting in New Orleans, LA
  - Laws & Regulations (L&R) Committee 2024 Interim Meeting Agenda: <http://cdn.ncwm.com/userfiles/files/Meetings/Interim/Pub%2015%20Archive/2024/3-LR-Master.pdf>
  - Participated at the Fuels & Lubricants Subcommittee meeting
- Participated in Nevada Governor's Office of Energy (GOE) State of Nevada Energy Security Plan Workshop
- Program metrics as of February 12, 2024
  - FY24 total fuel samples tested: 1694 (1022 since November 8, 2023)
    - 1309 gasoline samples, including 1 E15 sample
    - 381 diesel samples
    - 3 ethanol flex fuel samples
    - 1 kerosine sample
  - FY24 fuel sample failures: 103 (79 since November 8, 2023)
    - 59 gasoline samples, most for vapor pressure above max allowed
    - 44 diesel samples, most for flashpoint below minimum allowed

# March 15, 2024 Board Report

## Division of Measurement Standards

---



- FY24 fuel quality consumer complaints: 9 (2 since November 8, 2023)
  - 2 found valid
- FY24 fuel price accuracy consumer complaints: 7 (2 since November 8, 2023)
  - 2 found valid
- **Weights and Measures**
  - Work Programs to purchase vehicles were approved at the February 8, 2024, meeting of the Interim Finance Committee (IFC). The following categories of vehicles can now be replaced:
    - Specialty trucks – these include inspector trucks, gas buggies, and a livestock truck
    - Large capacity weight truck – to replace the 30-year-old Las Vegas semi-truck with crane
  - A new skid steer tractor for livestock scale inspections is scheduled to be delivered to the Elko office in late March
  - Personnel:
    - Opening remains in Elko for a Weights & Measures Inspector
    - Postings for seasonals in Sparks and Elko open at start of March
    - Elko Weights & Measures Inspector III has improved his CDL endorsement from Class B to Class A
    - Sparks Inspector I is scheduling his CDL training to be ready for livestock scale season
  - Attended 2024 NCWM Interim Meeting in New Orleans, LA
    - Specifications & Tolerances (S&T) Committee 2024 Interim Meeting Agenda:  
<http://cdn.ncwm.com/userfiles/files/Meetings/Interim/Pub%2015%20Archive/2024/4-ST-Master-.pdf>
    - Participated at the Skimmer Education Task Group meeting
    - Attended a Technical Session on the ongoing NCWM National Price Verification Survey
  - Fulfilled multiple media requests from KTNV in Las Vegas associated with a fuel dispenser issue in Clark County
    - <http://www.ktnv.com/news/charged-for-gas-but-nothing-in-the-tank-vegas-woman-reports-issue-at-local-gas-station>
    - <http://www.ktnv.com/news/after-local-reveals-pump-creep-problem-at-gas-station-we-found-out-its-a-repeating-issue>
    - <http://www.ktnv.com/news/it-scares-me-residents-successfully-push-for-vegas-gas-station-to-fix-pump-creep-issues>
    - <http://www.ktnv.com/news/residents-urge-more-gas-station-maintenance-as-crews-resolve-pump-creep-issues>
  - Fulfilled a media request from the Pahrump Valley Times associated with fuel dispensers in the Pahrump area

## March 15, 2024 Board Report

### Division of Measurement Standards

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- <http://pvtimes.com/news/pump-creep-why-you-may-not-be-getting-your-moneys-worth-at-the-gas-station-127504/>
- Fulfilled a media request from KSNV in Las Vegas associated with fuel dispensers and the testing of fuel dispensers in southern Nevada
  - <http://news3lv.com/news/local/some-gas-pumps-across-southern-nevada-could-be-short-changing-customers-weights-and-measures-division-department-of-agriculture>
- Program metrics as of January 31, 2024
  - FY24 devices inspected: 24,691 (11,548 since October 31, 2023), including:
    - 1,175 Class A devices
    - 7,141 Class B devices
    - 82 Class C devices
    - 297 Class D devices
    - 21 Class E devices
    - 10 Class G devices
    - 92 Class H devices
    - 281 Class I devices
    - 164 Class J devices
    - 323 Class K linear devices
    - 14,327 Class L1 devices (fuel dispensers, low flow)
    - 139 Class L2 devices (fuel dispensers, high flow)
    - 158 Class M meters
    - 340 Class N meters
    - 100 Class O meters (uncompensated Liquefied Petroleum Gas (LPG) meters)
    - 41 Class P meters (compensated LPG meters)
  - FY24 package and price verification inspection hours: 140.50 (67.00 since October 31, 2023)
  - FY24 repair orders issued: 669 (277 since October 31, 2023)
  - including:
    - 14 for Class A devices
    - 74 for Class B devices
    - 1 for Class C devices
    - 4 for Class D devices
    - 9 for Class I devices
    - 2 for Class J devices
    - 8 for Class K linear devices
    - 517 for Class L1 devices (fuel dispensers, low flow)
    - 2 for Class L2 devices (fuel dispensers, high flow)
    - 5 for Class M meters

## March 15, 2024 Board Report

### Division of Measurement Standards

---



- 1 for Class N meters
- 12 for Class O meters (uncompensated LPG meters)
- FY24 stop-use orders issued: 308 (127 since October 31, 2023)
- including:
  - 16 for Class A devices
  - 88 for Class B devices
  - 6 for Class D devices
  - 18 for Class I devices
  - 2 for Class J devices
  - 4 for Class K linear devices
  - 140 for Class L1 devices (fuel dispensers, low flow)
  - 3 for Class L2 devices (fuel dispensers, high flow)
  - 2 for Class M meters
  - 8 for Class O meters (uncompensated LPG meters)
  - 1 for Class P meters (compensated LPG meters)
- FY24 weights and measures consumer complaints: 37 (18 since October 31, 2023)
  - 10 found valid