

# December 8, 2023 Board Report

## Measurement Standards

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### Division Overview

- Pending matters of significance
  - Legislative Council Bureau (LCB) File No. R070-22 makes various changes to the regulations governing weights and measures. A workshop has been scheduled for December 12, 2023, at 10:00 AM. The file is available at this address: <https://www.leg.state.nv.us/Register/2022Register/R070-22P.pdf>. This is addressed in more detail below.
  - Work continues to develop operating procedures and proposed regulations to address Electric Vehicle Supply Equipment (EVSE) Testing. We are targeting the first half of 2024 for submission of a draft to LCB.
  - Livestock scale inspections have been completed and attention is turned to correcting deficiencies in the operation of this program. This is addressed in more detail below.
- Partnership activities
  - Advisory Committee on the Control of Emissions from Motor Vehicles
    - Measurement Standards, through the Petroleum Technology program, is an active member of this committee, as protecting air quality is part of the program's mission. During the most recent meeting in October the committee was informed that Clark County program officials are considering discontinuing the program, although it has been successful. There was no reason given, but this will be a continuing agenda item moving forward. The Board will be updated as necessary.

### Program Updates

- Metrology
  - The Metrology program submitted their annual Recognition Submission to the National Institute of Standards and Technology (NIST); this certificate allows the program to continue working within its recognized scope for calibrating and certifying mass and volume standards for State of Nevada Weights and Measures inspectors and outside customers
  - Program metric as of November 8, 2023
    - FY24 total items calibrated: 385 (274 since August 10, 2023)
- Petroleum Technology
  - The incumbent Chemist III in Las Vegas left state service on short notice in September. As that lab analyzes two thirds of the more than 3,000 samples drawn annually throughout the state, and the workload increases as temperatures become cooler, it was imperative to fill this position as soon as possible. The hiring of a new Chemist III is being finalized, and there is a planned start date of November 27, 2023.
  - Program metrics as of November 8, 2023
    - FY24 total fuel samples tested: 672 (541 since August 8, 2023)
    - FY24 fuel sample failures: 24 (19 since August 8, 2023)
    - FY24 fuel quality consumer complaints: 7 (3 since August 8, 2023)

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- FY24 fuel price accuracy consumer complaints: 5 (4 since August 8, 2023)
- Weights and Measures
  - An inability to replace aged and failing vehicles and equipment has negatively impacted the program for several years and affected our ability to serve the public and industry. The following categories of vehicles and equipment were approved for replacement in the last two budget cycles but have not been able to be procured. They are now submitted for the December Board of Examiners meeting, and hopefully will be replaced within this fiscal year:
    - Specialty trucks – these include inspector trucks, gas buggies, and a livestock truck, which hauls weights and a skid steer to ranches, based in the Elko office
    - Large capacity weight truck – the Las Vegas semi-truck with crane is nearly 30 years old with high mileage
    - Skid steer – the skid steer tractor in Elko is nearly 25 years old and failingReplacement of these vehicles and equipment will greatly increase the reliability of the Weights & Measures fleet, decrease vehicle time spent out of service and money spent on repairs, and increase the program’s value to industry and the public
  - Program metrics as of October 31, 2023
    - FY24 devices inspected: 14,054 (9,473 since August 10, 2023)
    - FY24 package and price verification inspection hours: 73.50 (46.50 since August 10, 2023)
    - FY24 repair orders issued: 392 (385 since August 10, 2023)
    - FY24 stop-use orders issued: 181 (172 since August 10, 2023)
    - FY24 weights and measures consumer complaints: 19 (16 since August 10, 2023)

### Industry Impact

- LCB File No. R070-22: A key proposed change in LCB File No. R070-22 will allow for the legal testing of EVSEs. As Nevada Administrative Code (NAC) Chapter 581 is currently written, these devices fall into a category where Measurement Standards does not have authority to test and certify. Granting this authority will allow for greater oversight of this emerging industry, offering governance to members of the industry and protection to consumers. Fiscally, granting authority to test these devices will be accompanied by a licensing fee, which will be an additional cost for the owner of the device, but that fee will help offset additional costs accrued by the program. No other changes are expected to be seen by industry, barring the need for repair or recalibration, but for the program, authority over these devices will also allow for the program to better monitor when and where new devices are placed into service.

There are also several changes to the Metrology program fee schedule and calibration schedule. The fee increases are not significant but will be carried by industry. These

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increases better align the Nevada Metrology fee schedule with that of other states in the region, although remaining lower. Likewise, there are two changes to the timeframe for recertification of standards; these changes also align with those elsewhere in the region.

- Communication with ranchers during the recently completed livestock season was inadequate at best. The Division did not serve the industry well, and changes in our methods were necessary. In the short term, with support from our Public Information Officer, we have prepared a portal for ranchers to provide or update contact information, especially by email for those areas with troublesome phone service. Opportunities for ranchers to provide information were available at both the Farm Bureau conference and the Cattlemen's Association conference. Submitted information is being added to our database. We will follow up with those not in our database during the winter with a letter asking for the same information. The goal is to have a much more robust database of information by next year's livestock season.