

September 4, 2019 Board Update

Division of Consumer Equitability



Division Overview

- Pending matters of significance
 - None at this time.
- Partnership activities
 - None at this time.

Program Updates – As of August 19, 2019

- Metrology
 - FY20 total items calibrated: 314
- Petroleum Technology
 - FY20 total samples tested: 233
 - FY20 sample failures: 5
 - FY20 fuel quality consumer complaints: 2
- Weights and Measures
 - FY20 devices inspected: 5,186
 - FY20 price verification inspection hours: 15.5
 - FY20 repair orders issued: 66
 - FY20 stop-use orders issued: 14
 - FY20 consumer complaints received: 17

Industry Impact

- Uniform Weights and Measures Regulation – National Institute for Standards and Technology (NIST) and National Conference on Weights and Measures (NCWM)

NRS 581.065, Subsection 4, directs that the State Sealer of Consumer equitability shall, to the extent practicable and desirable, promote uniformity between the requirements relating to weights and measures in Nevada and similar requirements of other states and federal agencies. NRS 581.065, Subsection 20, requires that the State Sealer of Consumer equitability employ recognized procedures for making verifications of accuracy, including, without limitation, any appropriate procedures designated by NIST.

This uniformity provides predictability for both consumers and industry. Consumers benefit from not having to learn regional variances in the way that commercial transactions involving weights and measures are conducted. Industry benefits by not having to customize their business practices and equipment to meet laws and regulations that vary significantly from state to state.

The regulations adopted by the State Sealer of Consumer Equitability and codified in NAC Chapter 581, including the adoption by reference of NIST Handbooks 44, 105, 133 and certain portions of NIST Handbook 130, allow for the Division of Consumer Equitability to perform its duties and activities in a manner that is consistent with weights and measures officials across the United States. Registered Service Agents in Nevada are

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also required to perform installation, adjustment and repairs of commercial weighing and measuring devices in accordance with these uniform standards.

Industry and regulators alike participate in the review and updating of these uniform regulations through attendance at Western Regional Weights and Measures Association (WWMA) annual technical meeting and the NCWM's Interim and Annual Meetings. These meetings provide open hearings on proposed additions or amendments to the various NIST Handbooks. Items are assigned to committees for determination as to the readiness of an item for a vote by the membership. Certain proposals may be brought forth and voted on within one regulatory cycle, while others may take several cycles before being developed to the point where recommended for a vote.

The most recent NCWM Annual Meeting was held July 14-18, 2019, in Milwaukee, WI. The Division of Consumer Equitability's Administrator and Senior Petroleum Chemist attended the meeting.

Revisions to the NIST Handbooks approved at the July 2019 NCWM Annual Meeting will become effective January 1, 2020, unless a later effective date was specified for the individual item. The time between approval and effective date(s) allows for industry and regulators to update their business practices and equipment accordingly. The Division of Consumer Equitability will update its standard operating procedures as necessary to ensure NDA's tests and inspections are conducted in accordance with the new and/or revised uniform standards.