

Proposed revisions:

NAC 581: Adoption of fuel chapter(s) from NCWM Handbook 130 into NAC 581

**REVISED PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

August 11, 2015

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

Section 1. NAC 581.030 is hereby amended to read as follows:

1. The State Sealer of Weights and Measures hereby adopts by reference:
 - (a) The “Examination Procedure for Price Verification”;
 - (b) The “Uniform Packaging and Labeling Regulation”;
 - (c) The “Uniform Regulation for the Method of Sale of Commodities”;
 - (d) The “Uniform Unit Pricing Regulation”;
 - (e) Sections 2 to 11, inclusive, of the “Uniform Regulation of Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices”;
 - (f) The “Uniform Open Dating Regulation”; ~~{and}~~
 - (g) The “Uniform Regulation for National Type Evaluation”; *and*
 - (h) *The “Uniform Engine Fuels and Automotive Lubricants Regulation,”*

as set forth in the National Institute of Standards and Technology Handbook 130: Uniform Laws and Regulations, 2003 edition, and any subsequent revision of that portion of the publication that has been approved by the State Sealer of Weights and Measures for use in this State. Each revision of that portion of the publication shall be deemed approved by the State Sealer of Weights and Measures unless he or she disapproves of the revision within 60 days after the date of publication of the revision by the National Institute of Standards and Technology.

2. The State Sealer of Weights and Measures will review each revision to ensure its suitability for this State and file a copy of each revision he or she approves with the Secretary of State and the State Library and Archives Administrator. The most recent revision that has been approved by the State Sealer of Weights and Measures will be available for inspection at the office of the Bureau of Weights and Measures, Division of ~~[Measurement Standards]~~*Consumer Equitability*, 2150 Frazer Avenue, Sparks, Nevada 89431, or ~~[may be purchased by mail from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by telephone at (866) 512-1800, for the price of \$31.50.]~~*at the Internet address http://www.nist.gov/customcf/get_pdf.cfm?pub_id=917401.*

NAC 581.210 Weighing and measuring devices: Tests and services for which fees will be charged; fees for tests; failure to pay fee. (NRS 581.050, 581.067, 581.075)

1. The tests and services for which fees will be charged pursuant to this section include, without limitation:

(a) A retest of a device which was marked “out of order” during a test~~[.]~~ *or a point-of-sale or cash registers found out of compliance.*

(b) A trip to test a device which was not available or ready for testing at the time scheduled for a test.

(c) A test requested for a device if a special trip is required to perform the test. If, upon the arrival of the inspector, the test scheduled for the device cannot be performed for any reason which is not the fault of the Division or the inspector, any fee which would have been charged for that test remains due.

(d) A test requested for a noncommercial device.

(e) A calibration according to industrial standards of weights and measures.

(f) An adjustment of a commercial device immediately following a determination of noncompliance during an annual test.

2. The fees for tests of devices are:

(a) For scale devices:

500 pounds and under.....	\$25
Over 500 pounds through 2,000 pounds.....	50
Over 2,000 pounds through 5,000 pounds.....	100
Over 5,000 pounds.....	160
Hopper, 5,000 pounds and under.....	300
Hopper, over 5,000 pounds.....	350
Livestock or vehicle scale, 40,000 pounds and under.....	130
Livestock or vehicle scale, over 40,000 pounds.....	200

(b) For linear devices.....	25
(c) For meter devices:	
Dispenser, hose, meter or octane grade tested with a 5-gallon prover..	25
Dispenser tested with a prover larger than 5 gallons.....	95
Truck- or rack-mounted meter, rated to a maximum capacity of up to 120 gallons per minute.....	95
Truck- or rack-mounted meter, rated to a maximum capacity of over 120 gallons per minute.....	160
Nontemperature-compensated meter used to measure liquid petroleum gas.....	100
Temperature-compensated meter used to measure liquid petroleum gas.....	200
(d) For standards of mass, volume or length, per hour:	
For certification of standards for use in testing a commercial device for a service agency or serviceperson.....	40 75
For certification of standards for use in testing a noncommercial device.....	80 95
(e) For point-of-sales and cash registers not in compliance:	
For five or less point-of-sales or cash registers	50
For six or more point-of- sales or cash registers	125
3. Failure to pay a fee required pursuant to this section within 30 days after receipt of the bill for the fee is a violation of this section.	