

# September 8, 2021 Board Update

## Division of Consumer Equitability



### Division Overview

- Livestock scale inspection season
  - Routine annual inspection/testing of livestock scales is on schedule for completion by the end of September 2021.
- Weighing and measuring device inspection backlog directly related to the COVID-19 pandemic
  - On June 22, 2021, the Interim Finance Committee approved expenditure of Coronavirus Relief Funds to address a backlog in inspection of 2,340 devices. The funds were approved in an amount not to exceed \$63,901 and to be used exclusively to pay for up to 1,666 hours of overtime hours through September 30, 2021. As of August 16, 2021, inspection of 1,135 of the devices identified for this backlog-reduction program had been completed.
- Initiation of regulation-making process – State Sealer of Consumer Equitability
  - The division has initiated the regulation-making process required by the Nevada Administrative Procedure Act to update regulations under the authority of the State Sealer of Consumer Equitability. These regulation updates are necessary to carry out certain provisions of Senate Bills 400 and 404 of the 81<sup>st</sup> Session of the Nevada Legislature:
    - LCB File R027-21 (Senate Bill 400)
      - Amend NAC chapter 590 to establish a schedule of civil penalties for violation of the provisions of the Nevada Petroleum Products Inspection Act (Nevada Revised Statutes 590.010 to 590.150, inclusive).
    - LCB File R026-21 (Senate Bill 404)
      - Amend NAC chapter 581 to adopt regulations for the submission for approval of types and designs of cannabis weighing and measuring equipment; and, to establish an annual license fee for all cannabis weighing and measuring equipment, other than equipment that is used for a non-commercial purpose by a cannabis independent testing laboratory, as defined in Nevada Revised Statutes 678A.115.

### Program Updates

- Metrology – As of August 25, 2021
  - FY22 total items calibrated: 81
- Petroleum Technology – As of August 25, 2021
  - FY22 total samples tested: 165
  - FY22 sample failures: 3
  - FY22 fuel quality consumer complaints: 6
- Weights and Measures – As of August 9, 2021
  - FY22 devices inspected: 2,444

- FY22 package and price verification inspection hours: 13.5
- FY22 repair orders issued: 52
- FY22 stop-use orders issued: 21
- FY22 weights and measures consumer complaints: 30

### **Industry Impact**

- Over the course of this calendar year, the division has been working in partnership with the Nevada Governor's Office of Energy (GOE) and the Nevada Division of Emergency Management (NDEM) to review and prepare updates to various operational and communications plans to be used in the event of disruption and/or shortage of petroleum-based fuel supplies. Petroleum industry input on the plan updates will be solicited through a workshop hosted jointly by GOE, NDEM and NDA in late fall of 2021. The plan updates will be finalized after receiving industry feedback, with a tabletop exercise of the final plans anticipated for early 2022.