

**PROPOSED REGULATION OF THE  
STATE SEALER OF MEASUREMENT STANDARDS**

**LCB File No. R027-21**

October 1, 2021

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

AUTHORITY: § 1, section 4 of Senate Bill No. 400, chapter 217, Statutes of Nevada 2021, at page 1012.

A REGULATION relating to petroleum products; establishing a schedule of civil penalties for certain violations of the Nevada Petroleum Products Inspection Act; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the State Sealer of Measurement Standards of the State Department of Agriculture to adopt regulations establishing a schedule of civil penalties for certain violations of the Nevada Petroleum Products Inspection Act. (Section 4 of Senate Bill No. 400, chapter 217, Statutes of Nevada 2021, at page 1012) This regulation: (1) sets forth such a schedule of civil penalties; and (2) provides for the issuance of a warning if the Division of Measurement Standards of the Department determines that a first offense was unintentional.

**Section 1.** Chapter 590 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. A person who violates any of the provisions of NRS 590.010 to 590.150, inclusive, shall be subject to the following civil penalties:*

*(a) Except as otherwise provided in subsection 2, for a first offense, not less than \$25 and not more than \$100.*

*(b) For a second offense, not less than \$50 and not more than \$500.*

*(c) For a third or subsequent offense, not less than \$100 and not more than \$1,000.*

*2. If the Division of Measurement Standards of the State Department of Agriculture determines that a first offense was unintentional, the Division shall issue a notice of warning to the person without imposing a civil penalty pursuant to subsection 1 if the person takes action to remedy the violation. The notice of warning must be in writing and set forth:*

*(a) The statute that was violated;*

*(b) The action necessary to remedy the violation; and*

*(c) The date by which the person must take action to remedy the violation before a civil penalty will be imposed. The failure of a person to take action by the prescribed date constitutes a second offense subject to a civil penalty set forth in subsection 1.*