

**PROPOSED REGULATION OF THE  
STATE SEALER OF CONSUMER EQUITABILITY**

**LCB File No. R096-15**

October 15, 2015

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

AUTHORITY: §1, NRS 581.050, 581.067, as amended by section 136 of Assembly Bill No. 77, chapter 526, Statutes of Nevada 2015, at page 3620, and NRS 581.075.

A REGULATION relating to measuring devices; requiring a fee to be charged for the retesting of certain cash registers and point-of-sale systems; setting the amount of the fee; revising the amount of the fee for certification of standards used in testing; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the State Sealer of Consumer Equitability to conduct random tests of cash registers and point-of-sale systems to ensure compliance with certain standards. (NRS 581.067, as amended by section 136 of Assembly Bill No. 77, chapter 526, Statutes of Nevada 2015, at page 3620) Existing law also authorizes the State Sealer to establish necessary fees for testing. (NRS 581.075) Existing regulations establish fees for certain tests conducted by the State Sealer. (NAC 581.210) This regulation adds fees for the retesting of cash registers and point-of-sale systems which are found to be out of compliance with standards during a random test. This regulation also revises the fees for the certification of standards used in testing.

**Section 1.** NAC 581.210 is hereby amended to read as follows:

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

(a) A retest of ~~the~~:

*(1)* A device which was marked “out of order” during a test ~~it~~; *or*

*(2) A point-of-sale system or cash register found to not be in compliance during a test conducted pursuant to subsection 19 of NRS 581.067, as amended by section 136 of Assembly Bill No. 77, chapter 526, Statutes of Nevada 2015, at page 3620.*

(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 .....	<del>140</del> 75
For certification of standards for use in testing a noncommercial device .....	<del>180</del> 95
<i>(e) For point-of-sale systems and cash registers not in compliance:</i>	
<i>For not more than five point-of-sale systems or cash registers .....</i>	<i>50</i>
<i>For six or more point-of-sale systems or cash registers .....</i>	<i>125</i>
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.	