

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

LCB File No. R189-12

October 16, 2013

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

AUTHORITY: §§1 and 2, NRS 590.070 and 590.131.

A REGULATION relating to motor vehicle fuel; revising the requirements for posting the octane rating number of motor vehicle fuel; requiring a person who sells at retail motor vehicle fuel which contains manganese or a compound containing manganese to post on the pump or other device for dispensing the fuel a label indicating that the fuel contains manganese; specifying the form and contents of the label; setting forth when such a label must be affixed; and providing other matters properly relating thereto.

Section 1. NAC 590.063 is hereby amended to read as follows:

590.063 1. The octane rating number of the ~~gasoline~~ *motor vehicle fuel* from the proof of transfer must be posted on the pump or other device for dispensing the ~~gasoline~~ *motor vehicle fuel*.

2. The octane rating number of the product that is in the pump or other device for dispensing ~~gasoline~~ *motor vehicle fuel* must not be lower than the octane rating that is posted on the pump or device.

3. *In addition to the requirements set forth in subsections 1 and 2, any person who sells motor vehicle fuel at retail shall, if the motor vehicle fuel contains manganese or any compound containing manganese, including, without limitation, MMT, post on the pump or other device for dispensing the motor vehicle fuel a label which:*

(a) Meets the requirements of subsections 4 and 6;

- (b) Is affixed during any period required by subsection 5; and*
- (c) Includes the following language:*

WARNING: Read label before dispensing fuel.

Motor vehicle fuel contains manganese, manganese compound or MMT.

Recommend vehicle operator consult owner's manual before using this motor fuel.

4. The label required pursuant to subsection 3 must:

- (a) Be legible and conspicuous;*
- (b) Be at least as large as 4 inches wide by 4 inches long;*
- (c) Consist of black ink on a background that is white; and*
- (d) Be written in at least 12-point font.*

5. The label required pursuant to subsection 3 must be affixed to the applicable pump or other device for dispensing motor vehicle fuel in the manner described in subsection 6:

(a) At the time motor vehicle fuel containing manganese or any compound containing manganese, including, without limitation, MMT, is loaded into or otherwise placed in a storage tank from which the pump or other device for dispensing motor vehicle fuel draws its supply of fuel, and before the pump or other device for dispensing motor vehicle fuel may be used to dispense such fuel;

(b) For 6 months immediately after the time specified in paragraph (a); and

(c) For an additional 6 months immediately after any subsequent instance in which motor vehicle fuel containing manganese or any compound containing manganese, including,

without limitation, MMT, is loaded into or otherwise placed in a storage tank from which the pump or other device for dispensing motor vehicle fuel draws its supply of fuel.

6. The label required pursuant to subsection 3 must, during any period specified in subsection 5, be affixed:

(a) To the exterior of each side of the pump or other device for dispensing motor vehicle fuel from which a consumer may dispense the fuel; and

(b) In a manner that is conspicuous and readily observable by the consumer.

7. The labels described in subsections 3 to 6, inclusive, may be obtained free of charge from the Division of Consumer Equitability of the State Department of Agriculture, 2150 Frazer Avenue, Sparks, Nevada 89431.

8. As used in this section, "MMT" means methylcyclopentadienyl manganese tricarbonyl.

Sec. 2. This regulation becomes effective on January 1, 2014.