

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

LCB File No. R027-21

Filed September 28, 2022

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

AUTHORITY: § 1, NRS 590.142.

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. (NRS 590.142) 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.