

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

LCB FILE NO. R027-211

**The following document is the initial draft regulation proposed
by the agency submitted on 07/28/2021**

PROPOSED PERMANENT REGULATION OF THE STATE SEALER OF CONSUMER EQUITABILITY

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

AUTHORITY: §1 Section 4 of Senate Bill 400 of the 81st Session of the Nevada Legislature

PURPOSE: To implement the provision of Senate Bill 400 of the 81st Legislative Session requiring the State Sealer of Consumer Equitability to adopt regulations establishing a schedule of civil penalties for the commission of certain unlawful acts relating to petroleum products.

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

1. Any person who violates a provision 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 \$500.

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

2. If the Division of Consumer Equitability of the State Department of Agriculture determines that a first offense was unintentional, the Division will issue a notice of warning in writing to the person without imposing a civil penalty 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 to take action by the date set forth in the notice of warning constitutes a second

offense subject to a civil penalty set forth in this section.

Sec. 2. This section and section 1 of this regulation become effective on the date on which this regulation is filed by the Legislative Counsel with the Secretary of State.