

SENATE BILL NO. 105—SENATOR TOWNSEND

FEBRUARY 19, 2007

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing regulation of motor vehicle fuel. (BDR 51-258)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to motor vehicle products; requiring the State Board of Agriculture to adopt by regulation certain specifications for motor vehicle fuel; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law regulates the sale of motor vehicle fuel and requires the State
2 Board of Agriculture to adopt regulations setting forth the standards for motor
3 vehicle fuel used in internal combustion engines. (NRS 590.010-590.150) This bill
4 requires the Board, in setting the standards for motor vehicle fuel, to adopt the most
5 recent standard specifications for motor vehicle fuel established by ASTM
6 International. This bill also requires the Board to review all changes made by
7 ASTM International to those standard specifications for motor vehicle fuel and to
8 incorporate those changes in the regulations adopted by the Board.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 590.070 is hereby amended to read as follows:
2 590.070 1. The State Board of Agriculture shall ~~adopt~~
3 ~~regulations relating to the standards~~ :
4 *(a) Adopt by regulation the most recent standard specifications*
5 for motor vehicle fuel ~~and petroleum products used in internal~~
6 ~~combustion engines.~~ *established by ASTM International; and*



(b) Review all changes made by ASTM International to those standard specifications for motor vehicle fuel and incorporate those changes in the regulations adopted by the Board pursuant to this section.

2. It is unlawful for any person, or any officer, agent or employee thereof, to sell, offer for sale, assist in the sale of, deliver or permit to be sold or offered for sale, any petroleum or petroleum product *or any alternative fuel* as, or purporting to be, motor vehicle fuel, unless it conforms with the regulations adopted by the State Board of Agriculture pursuant to this section.

3. This section does not apply to aviation fuel.

4. In addition to any criminal penalty that is imposed pursuant to the provisions of NRS 590.150, any person who violates any provision of this section may be further punished as provided in NRS 590.071.

Sec. 2. NRS 590.071 is hereby amended to read as follows:

590.071 1. The State Board of Agriculture shall:

(a) Enforce the ~~{standards relating to}~~ *specifications for* motor vehicle fuel ~~{and petroleum products}~~ adopted *by regulation* pursuant to NRS 590.070.

(b) Adopt regulations specifying a schedule of fines that it may impose, upon notice and hearing, for each violation of the provisions of NRS 590.070. The maximum fine that may be imposed by the Board for each violation must not exceed \$5,000 per day. All fines collected by the Board pursuant to the regulations adopted pursuant to this subsection must be deposited with the State Treasurer for credit to the State General Fund.

2. The State Board of Agriculture may:

(a) In addition to imposing a fine pursuant to subsection 1, issue an order requiring a violator to take appropriate action to correct the violation.

(b) Request the district attorney of the appropriate county to investigate or file a criminal complaint against any person that the Board suspects may have violated any provision of NRS 590.070.

Sec. 3. This act becomes effective upon passage and approval for the purpose of adopting regulations, and on October 1, 2007, for all other purposes.

