

SENATE BILL NO. 433—COMMITTEE ON NATURAL RESOURCES

MARCH 25, 2013

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing motor vehicle fuel.
(BDR 51-1101)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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 fuel; requiring the State Board of Agriculture to adopt regulations that require a warning label to be affixed to any pump which dispenses any motor vehicle fuel to which any manganese or manganese compound has been added; requiring a person who sells motor vehicle fuel that contains manganese or any manganese compound to provide certain documentation to the purchaser of that fuel; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Agriculture to adopt by regulation specifications for motor vehicle fuel in this State based upon certain criteria. (NRS 590.070) **Section 3** of this bill requires the Board to adopt regulations requiring a warning label to be affixed to any pump from which is drawn any motor vehicle fuel that is sold to a consumer if the motor vehicle fuel contains manganese or any manganese compound, including, without limitation, methylcyclopentadienyl manganese tricarbonyl, and was delivered to the vendor within the immediately preceding 6 months.

Section 4 of this bill requires a person, other than a retailer of motor vehicle fuel, who sells a motor vehicle fuel that contains manganese or any manganese compound to provide documentation to the purchaser stating that the motor vehicle fuel contains manganese or any manganese compound and stating the volume of the compound expressed in milligrams per liter.



* S B 4 3 3 R 1 *

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

Section 1. (Deleted by amendment.)

Sec. 2. Chapter 590 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

Sec. 3. *The State Board of Agriculture shall adopt regulations:*

1. Requiring a warning label to be affixed on each pump from which is drawn any motor vehicle fuel sold to a consumer if the motor vehicle fuel:

(a) Contains manganese or any manganese compound, including, without limitation, methylcyclopentadienyl manganese tricarbonyl; and

(b) Was delivered to the vendor within the immediately preceding 6 months.

2. Specifying the format, size, wording and placement of the warning label that a vendor is required to place on a pump pursuant to this section. The regulations must ensure that the warning labels measure at least 4 inches by 4 inches and include, without limitation:

(a) A notice advising the consumer to read the label before dispensing the motor vehicle fuel;

(b) A warning that the motor vehicle fuel contains manganese or a manganese compound, including, without limitation, methylcyclopentadienyl manganese tricarbonyl; and

(c) A recommendation to consult the owner's manual for the consumer's motor vehicle before using the motor vehicle fuel.

Sec. 4. *Any person, other than a retailer of motor vehicle fuel, who sells, offers for sale, assists in the sale of, delivers or transports motor vehicle fuel that contains manganese or any manganese compound must provide the purchaser, including without limitation, a retailer of motor vehicle fuel, with documentation expressly stating that the fuel contains manganese or a manganese compound and stating the volume of the compound expressed in milligrams per liter.*

Sec. 5. NRS 590.020 is hereby amended to read as follows:

590.020 As used in NRS 590.010 to 590.330, inclusive, *and sections 3 and 4 of this act*, unless the context otherwise requires:

1. "Additives" means a substance to be added to a motor oil or lubricating oil to impart or improve desirable properties or to suppress undesirable properties.

2. "Advertising medium" means any sign, printed or written matter, or device for oral or visual communication.



3. "Alternative fuel" includes, without limitation, premium diesel fuel, B-5 diesel fuel, B-10 diesel fuel, B-20 diesel fuel, B-100 diesel fuel, M-85, M-100, E-85, E-100, liquefied petroleum gas, natural gas, reformulated gasoline, gasohol and oxygenated fuel.

4. "Brand name" means a name or logo that is used to identify a business or company.

5. "Grade" means:

(a) "Regular," "midgrade," "plus," "super," "premium" or words of similar meaning when describing a grade designation for gasoline.

(b) "Diesel" or words of similar meaning, including, without limitation, any specific type of diesel, when describing a grade designation for diesel motor fuel.

(c) "M-85," "M-100," "E-85," "E-100" or words of similar meaning when describing a grade designation for alternative fuel.

(d) "Propane," "liquefied petroleum gas," "compressed natural gas," "liquefied natural gas" or words of similar meaning when describing pressurized gases.

6. "Motor vehicle fuel" means a petroleum product or alternative fuel used for internal combustion engines in motor vehicles.

7. "Performance rating" means the system adopted by the American Petroleum Institute for the classification of uses for which an oil is designed.

8. "Petroleum products" means gasoline, diesel fuel, burner fuel kerosene, lubricating oil, motor oil or any product represented as motor oil or lubricating oil. The term does not include liquefied petroleum gas, natural gas or motor oil additives.

9. "Recycled oil" means a petroleum product which is prepared from used motor oil or used lubricating oil. The term includes rerefined oil.

10. "Rerefined oil" means used oil which is refined after its previous use to remove from the oil any contaminants acquired during the previous use.

11. "Used oil" means any oil which has been refined from crude or synthetic oil and, as a result of use, has become unsuitable for its original purpose because of a loss of its original properties or the presence of impurities, but which may be suitable for another use or economically recycled.

12. "Viscosity grade classification" means the measure of an oil's resistance to flow at a given temperature according to the grade classification system of the Society of Automotive Engineers or other grade classification.



1 **Sec. 6.** The State Board of Agriculture shall adopt the
2 regulations required by section 3 of this act on or before
3 January 1, 2014.

4 **Sec. 7.** This act becomes effective upon passage and approval
5 for the purpose of adopting regulations and on January 1, 2014, for
6 all other purposes.

