

**REVISED REVISED PROPOSED REGULATION OF THE BOARD
FOR THE REGULATION OF LIQUEFIED PETROLEUM GAS**

LCB File No. R141-01

May 3, 2002

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

AUTHORITY: §§1-3, 4-8, NRS 590.505, 590.515 and 590.549; §4, NRS 590.505 and 590.515.

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

The holder of a license who fails to renew his license before the license expires may have his license reinstated if, within 30 days after the license expires, he pays to the board an amount equal to 115 percent of the annual fee for the license and a reinstatement fee of \$250. If the holder does not have his license reinstated within 30 days after it expires, he must apply for a new license and pay the fees for the issuance of a new license.

Sec. 2. NAC 590.100 is hereby amended to read as follows:

590.100 As used in NAC 590.100 to 590.650, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 590.110 to 590.190, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. NAC 590.240 is hereby amended to read as follows:

590.240 The board will charge and collect the following fees:

Class 1:

Fee for an application for a license.....~~[\$55]~~ \$70

Annual fee for a license for a dealer who sells or distributes less than	
250,000 gallons	550
Annual fee for a license for a dealer who sells or distributes 250,000	
gallons or more	770]
<i>LP gas</i>	<i>\$925</i>
Fee for inspecting each storage tank, plant facility or truck tank.....	85]

~~Class 2:] 105~~

Class 2A:

Fee for an application for a license.....	55] 70
Annual fee for a license	110] 135
Fee for inspecting each storage tank [,] or delivery truck for cage for the	
storage of cylinders which are available for exchange or sale	85] 105

Class 2B:

<i>Fee for an application for a license</i>	<i>70</i>
<i>Annual fee for a license</i>	<i>65</i>
<i>Fee for inspecting each cage for the storage of cylinders which are</i>	
<i>available for exchange or sale</i>	<i>50</i>

Class 3:

Fee for an application for a license.....	55] 70
Annual fee for a license	110] 135

Class 4:

Fee for an application for a license.....	55] 70
Annual fee for a license	110] 135

Fee for inspecting each dispensing unit.....~~[85]~~ 105

Class 5:

Fee for an application for a license.....~~[55]~~ 70

Annual fee for a license.....~~[110]~~ 135

Fee for inspecting each storage tank or vaporizer.....~~[85]~~ 105

plus any other
expenses related
to the inspection.

Miscellaneous Fees:

Fee for the examination for a certificate of competency.....~~[80]~~

~~—Certificate]~~100

Fee for the issuance or renewal of a certificate of competency.....~~[40]~~ 145

Sec. 4. NAC 590.280 is hereby amended to read as follows:

590.280 1. A person licensed pursuant to NRS 590.465 to 590.645, inclusive, shall disclose the following information to his customers and prospective customers:

(a) The prices per unit of sales of LP gas, the effective dates of those prices and any figures required to convert those prices to prices per gallon, cubic feet and therms.

(b) Any charges for special deliveries, including, but not limited to:

- (1) Charges for deliveries which are not on a scheduled route.
- (2) Charges for bulk deliveries.
- (3) Differences in minimum delivery prices.
- (4) Charges for deliveries made on weekends or after hours.
- (5) Initial charges and conditions for beginning service.

(c) The annual fee for renting a tank for LP gas.

2. Each time LP gas is delivered to a customer, the person licensed pursuant to NRS 590.465 to 590.645, inclusive, shall disclose upon the delivery ticket:

(a) The volume of LP gas delivered;

(b) The price per gallon, cubic foot or therm of LP gas delivered; and

(c) The total amount of the sale.

3. The information required to be disclosed pursuant to subsection 1 must be:

(a) Disclosed by telephone request.

(b) Printed in a standard format established by the licensee and displayed conspicuously in the licensee's place of business ~~[at least 3 working days before]~~ *not later than the beginning of the business day on which* the prices and charges become effective. The licensee may include any additional information if he so desires.

Sec. 5. NAC 590.320 is hereby amended to read as follows:

590.320 ~~[Except those persons certified as qualified who seek certification renewal without examination in the manner provided in NAC 590.360, and except those applicants who have successfully completed the Certified Employee Training Program of the National Propane Gas Association, all applicants for certification]~~

1. Each applicant for a certificate of competency must submit to an oral and written examination.

2. The board may, upon good cause shown, require the holder of a certificate of competency to submit to an oral and written examination. The board will provide to the holder at least 30 days' written notice of the time and place of the examination.

Sec. 6. NAC 590.350 is hereby amended to read as follows:

590.350 Each certificate of competency expires on June 30 *of the third year* following the ~~[date of the issuance of]~~ *year* the certificate ~~[.]~~ *is issued.*

Sec. 7. A person ~~[whose]~~ *may renew a* certificate of competency ~~[has not expired or been suspended or revoked by the board, may renew his certificate annually without taking]~~ *if he submits to* the examination required pursuant to NAC 590.320 ~~[.]~~ *not later than June 30 of the year in which the certificate expires.*

Sec. 8. NAC 590.380 is hereby amended to read as follows:

590.380 1. If a certificate expires for failure ~~[timely]~~ to apply for renewal ~~[.]~~ *in a timely manner*, a new certificate will be issued by the board to the holder of the expired certificate only upon his passing an oral and written examination.

2. An order by the board suspending a certificate will be followed in all cases by a further order:

- (a) Vacating the order of suspension, thereby renewing the original certificate; or
- (b) Permanently revoking the certificate.

3. *Upon the suspension of a certificate, the board will not renew the original certificate until the holder of the certificate passes the prescribed oral and written examination.*

4. An application for the issuance of a new certificate will not be accepted, entertained or acted upon while an order of suspension of the certificate of the applicant is in effect.

~~[When]~~

5. *If* the board has revoked a certificate pursuant to the provisions of NRS 590.605, a new certificate will not be issued to the person whose certificate was revoked until he passes the prescribed oral and written examination.

~~[4.]~~ 6. A period of at least 6 months from the date of the order of revocation of a certificate must elapse before a person who has had a certificate revoked may reapply for examination and issuance of a new certificate.