



## States' Biofuels Statutes

### STATE OF NEVADA

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).*

*Current through the 2013 Legislative Session of the Nevada General Assembly.*

#### **365.597. Disciplinary action for sale of motor vehicle fuel which exceeds ethanol tolerance prescribed by federal law**

1. If the Department determines through an audit that a retailer has sold motor vehicle fuel which substantially exceeds the ethanol tolerance for motor vehicle fuel prescribed by federal law, the Department may:

(a) For a first violation and each subsequent violation committed during the first violation year, impose an administrative fine of not more than \$1,000 on the retailer and the supplier of the motor vehicle fuel. The total fines imposed on a person pursuant to this paragraph must not exceed \$100,000.

(b) For each violation committed during the second violation year, impose an administrative fine of not more than \$2,500 on the retailer and the supplier of the motor vehicle fuel and suspend any license issued to the retailer or the supplier pursuant to the provisions of this chapter for not more than 60 days. The total fines imposed on a person pursuant to this paragraph must not exceed \$250,000.

(c) For each violation committed during the third or subsequent violation year, impose an administrative fine of not more than \$5,000 on the retailer and the supplier of the motor vehicle fuel and permanently revoke any license issued to the retailer or the supplier pursuant to the provisions of this chapter. The total fines imposed on a person pursuant to this paragraph must not exceed \$500,000.

2. As used in this section:

(a) "Substantially exceeds" means that a motor vehicle fuel contains a concentration of alcohol or is formulated in a manner which exceeds the standards for the formulation of motor vehicle fuel established by federal law in an amount established by the Department.

(b) "Supplier" includes a person who acts as a supplier of motor vehicle fuel but who is not licensed to engage in business as a supplier pursuant to the provisions of this chapter.

(c) “Violation year” means any calendar year in which the retailer or supplier commits a violation.

**Credits:** Added by Laws 2009, c. 464, § 18, eff. Jan. 1, 2010.