



## 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.*

#### **590.070. Specifications for motor vehicle fuel: Adoption by State Board of Agriculture; variances; sale of nonconforming petroleum products unlawful; exception for aviation fuel; penalties**

1. The State Board of Agriculture shall adopt by regulation specifications for motor vehicle fuel:

(a) Based upon scientific evidence which demonstrates that any motor vehicle fuel which is produced in accordance with the specifications is of sufficient quality to ensure appropriate performance when used in a motor vehicle in this State; or

(b) Proposed by an air pollution control agency to attain or maintain national ambient air quality standards in any area of this State. As used in this paragraph, "air pollution control agency" means any federal air pollution control agency or any state, regional or local agency that has the authority pursuant to chapter 445B of NRS to regulate or control air pollution or air quality in any area of this State.

2. The State Board of Agriculture shall adopt by regulation procedures for allowing variances from the specifications for motor vehicle fuel adopted pursuant to this section.

3. 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:

(a) Any petroleum or petroleum product 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.

(b) Any biodiesel unless it meets the registration requirements for fuels and fuel additives of 40 C.F.R. Part 79 and the requirements of ASTM Standard D6751, "Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels."

(c) Any biomass-based diesel or biomass-based diesel blend unless it meets the registration requirements for fuels and fuel additives established by the Administrator of the Environmental Protection Agency

pursuant to 42 U.S.C. § 7545.

4. This section does not apply to aviation fuel.

5. 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.

6. As used in this section:

(a) “Biodiesel” means a fuel that is composed of mono-alkyl esters of long-chain fatty acids derived from plant or animal matter.

(b) “Biomass-based diesel” means a diesel fuel substitute that is produced from nonpetroleum renewable resources, such as fuel derived from animal wastes, including, without limitation, poultry fats, poultry wastes and other waste materials, or from municipal solid waste and sludge and oil derived from wastewater and the treatment of wastewater. The term does not include biodiesel.

(c) “Biomass-based diesel blend” means a blend of any biomass-based diesel and any petroleum-based product that is suitable for use as a motor vehicle fuel.

**Credits:** Amended by Laws 1961, p. 650; Laws 1967, p. 151; Laws 1975, p. 185; Laws 1989, p. 1950; Laws 1991, p. 2024; Laws 1993, p. 61; Laws 2001, c. 171, § 2; Laws 2003, c. 106, § 11; Laws 2005, c. 201, § 11; Laws 2007, c. 425, § 1; Laws 2013, c. 336, § 1, eff. Jan. 1, 2014.