
ASSEMBLY BILL NO. 427—ASSEMBLYWOMAN GIBBONS (BY REQUEST)

MARCH 8, 1999

Referred to Committee on Natural Resources,
Agriculture and Mining

SUMMARY—Revises provisions regarding control of emissions from vehicles. (BDR 40-1175)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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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 air pollution; revising the authority of certain state agencies to enact regulations regarding the licensure of certain persons who inspect vehicles; requiring each hearing officer of the section for the control of emissions from vehicles of the registration division of the department of motor vehicles and public safety to be a graduate of an accredited law school if he conducts a hearing concerning certain licenses and administrative fines relating to the control of emissions from vehicles; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 445B.775 is hereby amended to read as follows:
2 445B.775 The regulations adopted pursuant to NRS 445B.770 must
3 ~~establish~~ :
4 ***1. Establish*** requirements by which the department of motor vehicles
5 and public safety may license:
6 ~~1.1~~ ***(a)*** Authorized inspection stations, including criteria by which any
7 person may become qualified to inspect devices for the control of
8 emissions for motor vehicles.
9 ~~1.2~~ ***(b)*** Authorized maintenance stations, including criteria by which
10 any person may become qualified to install, repair and adjust devices for
11 the control of emissions for motor vehicles.
12 ~~1.3~~ ***(c)*** Authorized stations, including criteria by which any person may
13 become qualified to inspect, repair, adjust and install devices for the
14 control of emissions for motor vehicles.

1 **2. Allow an authorized inspection station that is rated by the**
2 **department to inspect gasoline-powered motor vehicles to perform**
3 **installations, repairs and adjustments on any gasoline-powered motor**
4 **vehicle other than a motor vehicle that, upon inspection, failed to pass**
5 **the inspection.**

6 **Sec. 2.** NRS 445B.785 is hereby amended to read as follows:

7 445B.785 1. The department of motor vehicles and public safety
8 shall adopt regulations which:

9 (a) Prescribe requirements for licensing authorized inspection stations,
10 authorized maintenance stations, authorized stations and fleet stations.

11 (b) Prescribe the manner in which authorized inspection stations,
12 authorized stations and fleet stations inspect motor vehicles and issue
13 evidence of compliance.

14 (c) Prescribe the diagnostic equipment necessary to perform the
15 required inspection. The regulations must ensure that the equipment
16 complies with any applicable standards of the United States Environmental
17 Protection Agency.

18 (d) Provide for any fee, bond or insurance which is necessary to carry
19 out the provisions of NRS 445B.700 to 445B.815, inclusive.

20 (e) Provide for the issuance of a pamphlet for distribution to owners of
21 motor vehicles. The pamphlet must contain information explaining the
22 reasons for and the methods of the inspections.

23 **2. The regulations adopted pursuant to subsection 1 must allow an**
24 **authorized inspection station that is rated by the department to inspect**
25 **gasoline-powered motor vehicles to perform installations, repairs and**
26 **adjustments on any gasoline-powered motor vehicle other than a motor**
27 **vehicle that, upon inspection, failed to pass the inspection.**

28 **3.** The department of motor vehicles and public safety shall issue a
29 copy of the regulations to each authorized inspection station, authorized
30 maintenance station, authorized station and fleet station.

31 **Sec. 3.** NRS 481.0481 is hereby amended to read as follows:

32 481.0481 1. There is hereby created, within the registration division
33 of the department, a section for the control of emissions from vehicles.

34 2. The director shall appoint, within the limits of legislative
35 appropriations, investigators, officers and technicians for the control of
36 emissions from vehicles.

37 3. The duties of the investigators, officers and technicians are to travel
38 the state and:

39 (a) Act as agents and inspectors in the enforcement of the provisions of
40 NRS 445B.700 to 445B.845, inclusive, chapter 482 of NRS and NRS

41 484.644

and

484.6441.

1 (b) Cooperate with the division of environmental protection of the state
2 department of conservation and natural resources in all matters ~~pertaining~~
3 *relating* to the control of emissions from vehicles.

4 (c) Perform such other duties as may be imposed by the director.

5 **4. Each hearing officer of the section for the control of emissions**
6 **from vehicles who conducts a hearing concerning:**

7 (a) *The issuance, denial, suspension or revocation of a license of an*
8 *approved inspector, authorized inspection station, authorized*
9 *maintenance station, authorized station or fleet station pursuant to NRS*
10 *445B.700 to 445B.845, inclusive; or*

11 (b) *The imposition of an administrative fine pursuant to NRS*
12 *445B.835,*
13 *must be a graduate of an accredited law school.*

14 **Sec. 4.** To the extent that the provisions of any regulation adopted by
15 the state environmental commission and the department of motor vehicles
16 and public safety, including, without limitation, the provisions codified as
17 subsection 4 of NAC 445B.460, conflict with the amendatory provisions of
18 this act, the regulatory provisions are void.

19 **Sec. 5.** This act becomes effective upon passage and approval.