

Assembly Bill No. 198—Committee on Natural Resources,  
Agriculture, and Mining

CHAPTER.....

AN ACT relating to air pollution; authorizing certain stations licensed to inspect motor vehicles and devices for the control of pollution to charge a customer a surcharge for the costs of obtaining certain information regarding the customer's vehicle; authorizing certain stations licensed to inspect motor vehicles and devices for the control of pollution to retain a percentage of certain fees as a commission; revising the provisions relating to expenditures from the pollution control account for purposes relating to air quality; and providing other matters properly relating thereto.

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

**Section 1.** Chapter 445B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1.** *If an authorized station or authorized inspection station is required to collect a fee pursuant to subsection 1 of NRS 445B.830, the station may charge a customer whose vehicle is inspected by the station the amount of any electronic transmission surcharge that the station incurs to obtain information which the station is required by law to obtain with respect to that customer's vehicle.*

*2. An electronic transmission surcharge that is charged to a customer pursuant to subsection 1 must be set forth as a separate entry on the form certifying emission control compliance which the authorized station or authorized inspection station provides to the customer.*

*3. As used in this section, "electronic transmission surcharge" means the amount that an authorized station or authorized inspection station is required to pay to a contractor who owns or operates a database for the identification of vehicles for the transmission of information regarding a particular vehicle from the database to the authorized station or authorized inspection station.*

**Sec. 3. 1.** *If the board of county commissioners of a county is authorized to impose an additional fee for each form certifying emission control compliance, the board shall ensure that 2 percent of any such fee it imposes is retained as a commission by the authorized station or authorized inspection station that performs the inspection pursuant to which the form certifying emission control compliance is issued.*

*2. As used in this section, "additional fee" does not include any fee that is imposed pursuant to paragraph (a), (b) or (c) of subsection 1 of NRS 445B.830.*

**Sec. 4.** NRS 445B.700 is hereby amended to read as follows:

445B.700 As used in NRS 445B.700 to 445B.845, inclusive, *and sections 2 and 3 of this act*, unless the context otherwise requires, the words and terms defined in NRS 445B.705 to 445B.758, inclusive, have the meanings ascribed to them in those sections.

**Sec. 5.** NRS 445B.830 is hereby amended to read as follows:

445B.830 1. In areas of the state where and when a program is commenced pursuant to NRS 445B.770 to 445B.815, inclusive, the following fees must be paid to the department of motor vehicles and public

safety and accounted for in the pollution control account, which is hereby created in the state general fund:

- (a) For the issuance and annual renewal of a license for an authorized inspection station, authorized maintenance station, authorized station or fleet station ..... \$25
- (b) For each set of 25 forms certifying emission control compliance ..... 125
- (c) For each form issued to a fleet station ..... 5

2. Except as otherwise provided in subsections 4, 5 and 6, and after deduction of the amount required for grants pursuant to paragraph (a) of subsection 4, money in the pollution control account may, pursuant to legislative appropriation or with the approval of the interim finance committee, be expended by the following agencies in the following order of priority:

- (a) The department of motor vehicles and public safety to carry out the provisions of NRS 445B.770 to 445B.845, inclusive.
- (b) The state department of conservation and natural resources to carry out the provisions of this chapter.
- (c) The state department of agriculture to carry out the provisions of NRS 590.010 to 590.150, inclusive.
- (d) *Local governmental agencies in nonattainment or maintenance areas for an air pollutant for which air quality criteria have been issued pursuant to 42 U.S.C. § 7408, for programs related to the improvement of the quality of the air.*
- (e) The Tahoe Regional Planning Agency to carry out the provisions of NRS 277.200 with respect to the preservation and improvement of air quality in the Lake Tahoe Basin.

3. The department of motor vehicles and public safety may prescribe by regulation routine fees for inspection at the prevailing shop labor rate, including, without limitation, maximum charges for those fees, and for the posting of those fees in a conspicuous place at an authorized inspection station or authorized station.

4. The department of motor vehicles and public safety shall by regulation establish a program to award grants of money in the pollution control account to local governmental agencies in nonattainment or maintenance areas for ~~carbon monoxide~~ *an air pollutant for which air quality criteria have been issued pursuant to 42 U.S.C. § 7408*, for programs related to the improvement of the quality of air. The grants to agencies in a county pursuant to this subsection must be made from:

- (a) An amount of money in the pollution control account that is equal to one-fifth of the amount received for each form issued in the county pursuant to subsection 1; and
- (b) Excess money in the pollution control account. As used in this paragraph, "excess money" means the money in excess of \$500,000 remaining in the pollution control account at the end of the fiscal year, after deduction of the amount required for grants pursuant to paragraph (a) and any disbursements made from the account pursuant to subsection 2.

5. Any regulations adopted pursuant to subsection 4 must provide for the creation of an advisory committee consisting of representatives of state

and local agencies involved in the control of emissions from motor vehicles. The committee shall:

- (a) Review applications for grants and make recommendations for their approval, rejection or modification;
- (b) Establish goals and objectives for the program for control of emissions from motor vehicles;
- (c) Identify areas where funding should be made available; and
- (d) Review and make recommendations concerning regulations adopted pursuant to subsection 4 or NRS 445B.770.

6. Grants proposed pursuant to subsections 4 and 5 must be submitted to the deputy director of the motor vehicles branch of the department of motor vehicles and public safety and the administrator of the division of environmental protection of the state department of conservation and natural resources. Proposed grants approved by the deputy director and the administrator must not be awarded until approved by the interim finance committee.

**Sec. 6.** NRS 218.6827 is hereby amended to read as follows:

218.6827 1. Except as otherwise provided in subsections 2 and 3, the interim finance committee may exercise the powers conferred upon it by law only when the legislature is not in regular or special session.

2. During a regular session, the interim finance committee may also perform the duties imposed on it by subsection 5 of NRS 284.115, subsection 2 of NRS 321.335, NRS 322.007, subsection 2 of NRS 323.020, NRS 323.050, subsection 1 of NRS 323.100, subsection 1 of NRS 341.145, NRS 353.220, 353.224, 353.2705 to 353.2771, inclusive, and 353.335, paragraph (b) of subsection 4 of NRS 407.0762 ~~and~~ **and** NRS 428.375, 439.630, ~~subsection 6 of NRS~~ 445B.830 and ~~NRS~~ 538.650. In performing those duties, the senate standing committee on finance and the assembly standing committee on ways and means may meet separately and transmit the results of their respective votes to the chairman of the interim finance committee to determine the action of the interim finance committee as a whole.

3. During a regular or special session, the interim finance committee may exercise the powers and duties conferred upon it pursuant to the provisions of NRS 353.2705 to 353.2771, inclusive.

4. If the interim finance committee determines that a fundamental review of the base budget of a state agency is necessary, it shall, by resolution, notify the legislative commission of that finding for assignment of the review to a legislative committee for the fundamental review of the base budgets of state agencies established pursuant to NRS 218.5382.

**Sec. 7.** 1. This section and sections 1, 3, 4 and 6 of this act become effective on July 1, 2001.

2. Section 5 of this act becomes effective at 12:01 a.m. on July 1, 2001.

3. Section 2 of this act becomes effective on January 1, 2002.