

(REPRINTED WITH ADOPTED AMENDMENTS)  
THIRD REPRINT S.B. 357

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SENATE BILL NO. 357—COMMITTEE ON NATURAL RESOURCES

MARCH 15, 2001

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Referred to Committee on Natural Resources

SUMMARY—Authorizes board of county commissioners of certain larger counties, in certain circumstances, to impose additional fee for each form certifying emission control compliance for limited period and revises provisions governing the disbursement of money from the pollution control account. (BDR 40-1180)

FISCAL NOTE:   Effect on Local Government: No.  
                      Effect on the State: No.

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

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AN ACT relating to air pollution; revising the provisions governing the disbursement of money from the pollution control account; authorizing the board of county commissioners of certain larger counties, in certain circumstances, to impose an additional fee for each form certifying emission control compliance for a limited period; requiring approval of the voters for continuation or increase of such a fee; providing that such fees must be distributed to the local air pollution control agency in the county in which the fees were collected; prohibiting the use of public revenue to urge the passage of the related ballot question; requiring equal broadcast opportunities on governmental television systems under certain circumstances; 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.** Chapter 445B of NRS is hereby amended by adding thereto  
2 a new section to read as follows:

3     1. *If the board of county commissioners of a county whose*  
4 *population is 400,000 or more determines that the imposition of an*  
5 *additional fee is necessary to carry out the program for the control of air*  
6 *pollution established pursuant to subsection 1 of NRS 445B.500, the*  
7 *board of county commissioners may impose on or before July 1, 2002, an*  
8 *additional fee not to exceed \$3 for each form certifying emission control*  
9 *compliance to be collected in the manner set forth in NRS 445B.830.*  
10    2. *If the board of county commissioners imposes an additional fee*  
11 *pursuant to subsection 1, the board of county commissioners shall*  
12 *propose to the registered voters of the county at the general election held*  
13 *in 2002 the question of whether to impose an additional fee not to exceed*  
14 *\$6 for each form certifying emission control compliance. If a majority of*



1 *the registered voters of the county do not approve the question, any fee*  
2 *imposed pursuant to subsection 1 must not be collected after December 1,*  
3 *2002. If a majority of the registered voters of the county approve the*  
4 *question, the board of county commissioners may collect not more than*  
5 *the amount of the additional fee stated on the ballot, including any*  
6 *additional fee imposed pursuant to subsection 1 after December 1, 2002.*

7 3. *The department of motor vehicles and public safety shall distribute*  
8 *any additional fees for forms certifying emission control compliance*  
9 *collected pursuant to this section to the local air pollution control agency*  
10 *in the county from which the additional fees were collected to carry out*  
11 *the program for the control of air pollution established pursuant to NRS*  
12 *445B.500.*

13 4. *If the question proposed pursuant to subsection 2 is approved by*  
14 *the voters, the local air pollution control agency in the county in which*  
15 *the question is approved shall submit on or before October 1 of each year*  
16 *to the director of the legislative counsel bureau for transmittal to the*  
17 *interim finance committee a report on:*

18 (a) *The amount of money that the agency received during the*  
19 *immediately preceding fiscal year from the imposition of the additional*  
20 *fee; and*

21 (b) *The purposes for which that money was expended to carry out the*  
22 *program for the control of air pollution established pursuant to NRS*  
23 *445B.500.*

24 **Sec. 2.** NRS 445B.830 is hereby amended to read as follows:

25 445B.830 1. In areas of the state where and when a program is  
26 commenced pursuant to NRS 445B.770 to 445B.815, inclusive, the  
27 following fees must be paid to the department of motor vehicles and public  
28 safety and accounted for in the pollution control account, which is hereby  
29 created in the state general fund:

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

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

42 (a) The department of motor vehicles and public safety to carry out the  
43 provisions of NRS 445B.770 to 445B.845, inclusive.

44 (b) The state department of conservation and natural resources to carry  
45 out the provisions of this chapter.

46 (c) The state department of agriculture to carry out the provisions of  
47 NRS 590.010 to 590.150, inclusive.

48 (d) *Local governmental agencies in nonattainment or maintenance*  
49 *areas for an air pollutant for which air quality criteria have been issued*



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1 *pursuant to 42 U.S.C. § 7408, for programs related to the improvement of*  
2 *the quality of the air.*

3 (e) The Tahoe Regional Planning Agency to carry out the provisions of  
4 NRS 277.200 with respect to the preservation and improvement of air  
5 quality in the Lake Tahoe Basin.

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

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

18 (a) An amount of money in the pollution control account that is equal to  
19 one-fifth of the amount received for each form issued in the county  
20 pursuant to *paragraphs (b) and (c) of* subsection 1; and

21 (b) Excess money in the pollution control account. As used in this  
22 paragraph, "excess money" means the money in excess of \$500,000  
23 remaining in the pollution control account at the end of the fiscal year, after  
24 deduction of the amount required for grants pursuant to paragraph (a) and  
25 any disbursements made from the account pursuant to subsection 2.

26 5. Any regulations adopted pursuant to subsection 4 must provide for  
27 the creation of an advisory committee consisting of representatives of state  
28 and local agencies involved in the control of emissions from motor  
29 vehicles. The committee shall:

30 (a) Review applications for grants and make recommendations for their  
31 approval, rejection or modification;

32 (b) Establish goals and objectives for the program for control of  
33 emissions from motor vehicles;

34 (c) Identify areas where funding should be made available; and

35 (d) Review and make recommendations concerning regulations adopted  
36 pursuant to subsection 4 or NRS 445B.770.

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

44 **Sec. 3.** 1. If the board of county commissioners imposes a fee  
45 pursuant to subsection 1 of section 1 of this act, the county and any agency  
46 of the county shall not expend public revenue to urge the passage of the  
47 question proposed to the voters pursuant to subsection 2 of section 1 of this  
48 act.

49 2. To the extent not prohibited by federal law, if:



1 (a) Such a county operates or has granted a franchise for the operation  
2 of a television system; and

3 (b) Programming, commercials or public service announcements are  
4 broadcast on that system which urge the passage of the question proposed  
5 to the voters pursuant to subsection 2 of section 1 of this act,  
6 the county shall cause equal opportunities to be given to any person or  
7 group that opposes the passage of the question proposed to the voters  
8 pursuant to subsection 2 of section 1 of this act.

9 **Sec. 4.** 1. This section and sections 1 and 3 of this act become  
10 effective upon passage and approval.

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

13 3. Section 1 of this act expires by limitation on June 30, 2009.

