

Senate Bill No. 478—Committee on Taxation

CHAPTER.....

AN ACT relating to motor vehicles; authorizing the state department of conservation and natural resources to develop and carry out a program to encourage certain persons to use clean-burning fuel in motor vehicles; 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 486A of NRS is hereby amended by adding thereto a new section to read as follows:

1. After consulting with the department of business and industry, the department may, within limits of legislative appropriations or authorizations or grants available for this purpose, develop and carry out a program to provide incentives to encourage those persons who are not otherwise required to do so pursuant to NRS 486A.010 to 486A.180, inclusive, to use clean-burning fuel in motor vehicles. The program may include, without limitation, a method of educating the members of the general public concerning:

- (a) The program administered by the department; and*
- (b) The benefits of using clean-burning fuel in motor vehicles.*

2. The department may adopt regulations to carry out the provisions of this section.

3. As used in this section:

(a) "Clean-burning fuel" has the meaning ascribed to alternative fuel in 10 C.F.R. § 490.2.

(b) "Department" means the state department of conservation and natural resources.

(c) "Motor vehicle" has the meaning ascribed to it in NRS 365.050.

Sec. 2. NRS 486A.020 is hereby amended to read as follows:

486A.020 As used in ~~this chapter~~ *NRS 486A.010 to 486A.180, inclusive*, unless the context otherwise requires, the words and terms defined in NRS 486A.030 to 486A.130, inclusive, have the meanings ascribed to them in those sections.

Sec. 3. NRS 486A.140 is hereby amended to read as follows:

486A.140 The provisions of ~~this chapter~~ *NRS 486A.010 to 486A.180, inclusive*, do not apply to:

- 1. The owner of a fleet of motor vehicles that operates only in a county whose population is less than 100,000.
- 2. Any governmental agency exempted by federal statute or regulation.
- 3. Any person exempted by the commission.

Sec. 4. NRS 486A.150 is hereby amended to read as follows:

486A.150 The commission shall adopt regulations necessary to carry out the provisions of ~~this chapter~~ *NRS 486A.010 to 486A.180, inclusive*, including, but not limited to, regulations concerning:

- 1. Standards and requirements for alternative fuel. The commission shall not discriminate against any product that is petroleum based.
- 2. The conversion of fleets to use alternative fuels if the fleet is operated in a county whose population is 100,000 or more.

3. Standards for alternative fuel injection systems for diesel motor vehicles.

4. Standards for levels of emissions from motor vehicles that are converted to use alternative fuels.

5. The establishment of a procedure for approving exemptions to the requirements of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*.

Sec. 5. NRS 486A.160 is hereby amended to read as follows:

486A.160 1. The department shall:

(a) Make such determinations and issue such orders as may be necessary to carry out the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*;

(b) Enforce the regulations adopted by the commission pursuant to the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*; and

(c) Conduct any investigation, research or study necessary to carry out the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*.

2. Upon request, the department of motor vehicles and public safety shall provide to the department information contained in records of registration of motor vehicles.

Sec. 6. NRS 486A.170 is hereby amended to read as follows:

486A.170 1. An authorized representative of the department may enter and inspect any fleet of 10 or more motor vehicles that is subject to the requirements of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, to ascertain compliance with the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, and regulations adopted pursuant thereto.

2. A person who owns or leases a fleet of 10 or more vehicles shall not:

(a) Refuse entry or access to the motor vehicles to any authorized representative of the department who requests entry for the purpose of inspection as provided in subsection 1.

(b) Obstruct, hamper or interfere with any such inspection.

3. If requested by the owner or lessor of a fleet of motor vehicles, the department shall prepare a report of an inspection made pursuant to subsection 1 setting forth all facts determined which relate to the owner's or lessor's compliance with the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, and any regulations adopted pursuant thereto.

Sec. 7. NRS 486A.180 is hereby amended to read as follows:

486A.180 1. Except as otherwise provided in subsection 4, any person who violates any provision of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, or any regulation adopted pursuant thereto, is guilty of a civil offense and shall pay an administrative fine levied by the commission of not more than \$5,000. Each day of violation constitutes a separate offense.

2. The commission shall by regulation establish a schedule of administrative fines of not more than \$1,000 for lesser violations of any provision of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, or any regulation in force pursuant thereto.

3. Action pursuant to subsection 1 or 2 is not a bar to enforcement of the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*, and regulations in force pursuant thereto, by injunction or other appropriate

remedy. The commission or the director of the department ~~of conservation and natural resources~~ may institute and maintain in the name of the State of Nevada any such enforcement proceeding.

4. A person who fails to pay a fine levied pursuant to subsection 1 or 2 within 30 days after the fine is imposed is guilty of a misdemeanor. The provisions of this subsection do not apply to a person found by the court to be indigent.

5. The commission and the department shall deposit all money collected pursuant to this section in the state general fund. Money deposited in the state general fund pursuant to this subsection must be accounted for separately and may only be expended upon legislative appropriation.