

SENATE BILL No. 478—COMMITTEE ON TAXATION

MARCH 23, 2001

Referred to Committee on Transportation

SUMMARY—Authorizes state department of conservation and natural resources to develop and carry out program to encourage certain persons to use clean-burning fuel in motor vehicles. (BDR 43-137)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: 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 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:

- 1     **Section 1.** Chapter 486A of NRS is hereby amended by adding  
2     thereto a new section to read as follows:  
3     ***1. After consulting with the department of business and industry, the***  
4     ***department may, within limits of legislative appropriations or***  
5     ***authorizations or grants available for this purpose, develop and carry out***  
6     ***a program to provide incentives to encourage those persons who are not***  
7     ***otherwise required to do so pursuant to NRS 486A.010 to 486A.180,***  
8     ***inclusive, to use clean-burning fuel in motor vehicles. The program may***  
9     ***include, without limitation, a method of educating the members of the***  
10    ***general public concerning:***  
11    ***(a) The program administered by the department; and***  
12    ***(b) The benefits of using clean-burning fuel in motor vehicles.***  
13    ***2. The department may adopt regulations to carry out the provisions***  
14    ***of this section.***  
15    ***3. As used in this section:***  
16    ***(a) "Clean-burning fuel" has the meaning ascribed to alternative fuel***  
17    ***in 10 C.F.R. § 490.2.***  
18    ***(b) "Department" means the state department of conservation and***  
19    ***natural resources.***  
20    ***(c) "Motor vehicle" has the meaning ascribed to it in NRS 365.050.***



1     **Sec. 2.** NRS 486A.020 is hereby amended to read as follows:  
2     486A.020 As used in ~~{this chapter}~~ *NRS 486A.010 to 486A.180,*  
3 *inclusive*, unless the context otherwise requires, the words and terms  
4 defined in NRS 486A.030 to 486A.130, inclusive, have the meanings  
5 ascribed to them in those sections.

6     **Sec. 3.** NRS 486A.140 is hereby amended to read as follows:  
7     486A.140 The provisions of ~~{this chapter}~~ *NRS 486A.010 to*  
8 *486A.180, inclusive*, do not apply to:

9         1. The owner of a fleet of motor vehicles that operates only in a county  
10         whose population is less than 100,000.

11         2. Any governmental agency exempted by federal statute or regulation.

12         3. Any person exempted by the commission.

13     **Sec. 4.** NRS 486A.150 is hereby amended to read as follows:  
14     486A.150 The commission shall adopt regulations necessary to carry  
15 out the provisions of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*,  
16 including, but not limited to, regulations concerning:

17         1. Standards and requirements for alternative fuel. The commission  
18 shall not discriminate against any product that is petroleum based.

19         2. The conversion of fleets to use alternative fuels if the fleet is  
20 operated in a county whose population is 100,000 or more.

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

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

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

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

28     486A.160 1. The department shall:

29         (a) Make such determinations and issue such orders as may be  
30 necessary to carry out the provisions of ~~{this chapter}~~ *NRS 486A.010 to*  
31 *486A.180, inclusive*;

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

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

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

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

40     486A.170 1. An authorized representative of the department may  
41 enter and inspect any fleet of 10 or more motor vehicles that is subject to  
42 the requirements of ~~{this chapter}~~ *NRS 486A.010 to 486A.180, inclusive*,  
43 to ascertain compliance with the provisions of ~~{this chapter}~~ *NRS*  
44 *486A.010 to 486A.180, inclusive*, and regulations adopted pursuant  
45 thereto.

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



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1 (a) Refuse entry or access to the motor vehicles to any authorized  
2 representative of the department who requests entry for the purpose of  
3 inspection as provided in subsection 1.  
4 (b) Obstruct, hamper or interfere with any such inspection.  
5 3. If requested by the owner or lessor of a fleet of motor vehicles, the  
6 department shall prepare a report of an inspection made pursuant to  
7 subsection 1 setting forth all facts determined which relate to the owner's  
8 or lessor's compliance with the provisions of ~~this chapter~~ *NRS 486A.010*  
9 *to 486A.180, inclusive*, and any regulations adopted pursuant thereto.  
10 **Sec. 7.** NRS 486A.180 is hereby amended to read as follows:  
11 486A.180 1. Except as otherwise provided in subsection 4, any  
12 person who violates any provision of ~~this chapter~~ *NRS 486A.010 to*  
13 *486A.180, inclusive*, or any regulation adopted pursuant thereto, is guilty  
14 of a civil offense and shall pay an administrative fine levied by the  
15 commission of not more than \$5,000. Each day of violation constitutes a  
16 separate offense.  
17 2. The commission shall by regulation establish a schedule of  
18 administrative fines of not more than \$1,000 for lesser violations of any  
19 provision of ~~this chapter~~ *NRS 486A.010 to 486A.180, inclusive*, or any  
20 regulation in force pursuant thereto.  
21 3. Action pursuant to subsection 1 or 2 is not a bar to enforcement of  
22 the provisions of ~~this chapter~~ *NRS 486A.010 to 486A.180, inclusive*, and  
23 regulations in force pursuant thereto, by injunction or other appropriate  
24 remedy. The commission or the director of the department ~~of conservation~~  
25 ~~and natural resources~~ may institute and maintain in the name of the State  
26 of Nevada any such enforcement proceeding.  
27 4. A person who fails to pay a fine levied pursuant to subsection 1 or 2  
28 within 30 days after the fine is imposed is guilty of a misdemeanor. The  
29 provisions of this subsection do not apply to a person found by the court to  
30 be indigent.  
31 5. The commission and the department shall deposit all money  
32 collected pursuant to this section in the state general fund. Money  
33 deposited in the state general fund pursuant to this subsection must be  
34 accounted for separately and may only be expended upon legislative  
35 appropriation.

