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MOCK-UP

PROPOSED AMENDMENT TO  
ASSEMBLY BILL NO. 36

PREPARED FOR ASSEMBLY NATURAL RESOURCES, AGRICULTURE, AND MINING  
MARCH 12, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN  
CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE  
OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) ~~green bold dashed underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment.

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

- 1     **Section 1.** NRS 445B.780 is hereby amended to read as follows:  
2     445B.780 1. The Commission shall, by regulation, establish a  
3     program for the regulation of smoke and other emissions by inspection of  
4     heavy-duty motor vehicles that are powered by ~~{diesel fuel or gasoline.~~  
5     ~~The program must be substantially similar to the program established in~~  
6     ~~the State of California.~~  
7     ~~2. The Director of the State Department of Conservation and Natural~~  
8     ~~Resources shall review each amendment, repeal or other revision of a law~~  
9     ~~or regulation of the State of California relating to the program established~~  
10    ~~pursuant to subsection 1 to determine its appropriateness for this state. The~~  
11    ~~Director shall recommend to the Commission any such provisions which~~  
12    ~~he deems necessary or appropriate to ensure that program remains~~  
13    ~~substantially similar to the program established in the State of California.~~  
14    ~~3.} motor vehicle fuel or special fuel.~~

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\*PROPOSED AMENDMENT TO AB36\*

ASSEMBLY NATURAL RES., AGRICULTURE & MINING  
DATE: 3/12/03 ROOM: 3161 EXHIBIT P 1-4  
SUBMITTED BY: Linda Eissmann

1     2. Prior to implementing the inspections required pursuant to NRS  
2 445B.795, subsection 1(c), the Commission shall, by regulation, adopt  
3 testing procedures for those vehicles with a gross vehicle weight rating of  
4 8,500 to 10,000 pounds, and which are powered by special fuel.

5     3. The Commission shall not establish emission standards for  
6 liquefied petroleum gas, until such time that federal standards have first  
7 been established.

8     4. The Commission shall adopt regulations concerning:

9     (a) The equipment used to measure smoke and other emissions of  
10 heavy-duty motor vehicles.

11     (b) The granting of a waiver ~~{from the provisions adopted by reference~~  
12 ~~in this section,}~~ if compliance involves repair and equipment costs which  
13 exceed the limits established by the Commission. The Commission shall  
14 establish the limits in a manner which avoids unnecessary financial  
15 hardship to owners of heavy-duty motor vehicles.

16     ~~{4.}~~ 3. As used in this section ~~{, a "heavy-duty" :~~

17     (a) "Heavy-duty motor vehicle" means a motor vehicle that has a  
18 manufacturer's gross vehicle weight rating of 8,500 pounds or more.

19     (b) "Motor vehicle fuel" has the meaning ascribed to it in  
20 NRS 365.060.

21     (c) "Special fuel" has the meaning ascribed to it in  
22 NRS 366.060.

23 Section 2. NRS 445B.795 is hereby amended to read as follows:

24 445B.795 The authority set forth in NRS 445B.770 providing for a  
25 compulsory inspection program is limited as follows:

26     1. In a county whose population is 100,000 or more, ~~all passenger cars~~  
27 ~~and light-duty motor vehicles which use diesel fuel the following~~  
28 categories of motor vehicles which are powered by motor vehicle fuel or  
29 special fuel and require inspection pursuant to the regulations adopted by  
30 the commission under NRS 445B.770 are required to have evidence of  
31 compliance upon registration or reregistration:

32     ~~(a) All passenger cars;~~

33     ~~(b) Light-duty motor vehicles; and~~

34     ~~(c) Motor vehicles with a gross vehicle weight rating from 8,500 to~~  
35 10,000 pounds inclusive.

36     2. In areas which have been designated by the commission for  
37 inspection programs and which are located in counties whose populations  
38 are 100,000 or more, all used motor vehicles which require inspection  
39 pursuant to the regulations adopted by the commission under NRS  
40 445B.770 are required to have evidence of compliance upon registration or  
41 reregistration.

42     3. In designated areas in other counties where the commission puts a  
43 program into effect, all used motor vehicles which require inspection  
44 pursuant to the regulations adopted by the commission under NRS

Subsection 2 would be new language in the bill. Amendment proposed by Lloyd Nelson of DMV.

Subsection 3 would be new language in the bill. Amendment proposed by Neena Laxalt of NV Propane Dealers Assn.

Section 2 would be a new section of the bill. Amendment proposed by Ron Levine/Darryl Capurro of NV Motor Transport Assn.

1 445B.770 are required to have evidence of compliance upon registration or  
2 reregistration.

3 4. The board of county commissioners of a county containing a  
4 designated area may revise its program for the designated area after  
5 receiving the approval of the commission.

6 **Section 3.** NRS 445B.815 is hereby amended to read as follows:

7 445B.815 1. Except as otherwise provided in subsection 2, persons  
8 employed at branch offices of the department of motor vehicles and the  
9 offices of county assessors who are acting as agents of the department in  
10 the collection of fees for registration, shall not register:

11 (a) A passenger care or light-duty motor vehicle which:

12 (1) Uses ~~diesel fuel~~ motor vehicle fuel or special fuel;

13 (2) Is based in a county whose population is 100,000 or more; and

14 (3) Requires inspection pursuant to the regulations adopted by the  
15 commission under NRS 445B.770; or

16 (b) A motor vehicle with a gross vehicle weight rating from 8,500 to  
17 10,000 pounds inclusive that:

18 (1) Uses motor vehicle fuel or special fuel;

19 (2) Is based in a county whose population is 100,000 or more; and

20 (3) Requires inspection pursuant to the regulations adopted by the  
21 commission under NRS 445B.770; or

22 (c) A vehicle which:

23 (1) Is based in an area of this state designated by the commission;  
24 and

25 (2) Requires inspection pursuant to the regulations adopted by the  
26 commission under NRS 445B.770,  
27 until evidence of compliance with NRS 445B.700 to 445B.845, inclusive,  
28 has been provided.

29 2. An owner or lessee of a fleet of three or more vehicles may, upon  
30 application to the department of motor vehicles, submit evidence of  
31 compliance for his motor vehicles in a manner determined by that  
32 department.

33 **Section 4.** NRS 590.070 is hereby amended to read as follows:

34 NRS 590.070 1. The state board of agriculture shall adopt regulations  
35 relating to the standards for petroleum products used in internal  
36 combustion engines, ~~which are substantially similar to the laws and~~  
37 ~~regulations of the State of California relating to those standards.~~

38 ~~2. The state board of agriculture shall review each amendment, repeal~~  
39 ~~or other revision of a law or regulation of the State of California relating~~  
40 ~~to those standards to determine its appropriateness for this state. The~~  
41 ~~board shall adopt any regulation based on a law or regulation of the~~  
42 ~~State of California which the board determines is necessary or~~  
43 ~~appropriate for this state to ensure that the regulations adopted by the~~  
44 ~~board remain substantially similar to the laws and regulations adopted~~  
45 ~~by the State of California concerning those standards.~~

Section 3 would be a new section of the bill. Amendment proposed by Ron Levine/Darryl Capurro of NV Motor Transport Assn.

Section 4 would be a new section of the bill. Amendment proposed by Assemblyman Geddes.

1     ~~2.~~ 2. It is unlawful for any person, or any officer, agent or employee  
2     thereof, to sell, offer for sale, assist in the sale of, deliver or permit to be  
3     sold or offered for sale, any petroleum or petroleum product as, or  
4     purporting to be, gasoline or diesel fuel, unless it conforms with the  
5     regulations adopted by the state board of agriculture pursuant to this  
6     section.

7     ~~4.~~ 3. This section does not apply to aviation fuel.

8     ~~5.~~ 4. In addition to any criminal penalty that is imposed pursuant to the  
9     provisions of NRS 590.150, any person who violates any provision of this  
10    section may be further punished as provided in NRS 590.071.

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