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THIRD MOCK-UP

PROPOSED AMENDMENT TO ASSEMBLY BILL NO. 36

PREPARED FOR ASSEMBLY NATURAL RESOURCES, AGRICULTURE, AND MINING
APRIL 2, 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. *"Heavy-duty motor vehicle" means a motor vehicle that***
2 ***has a manufacturer's gross vehicle weight rating of 8,500 pounds or***
3 ***more, except a passenger car.***

This is a new definition of heavy-duty vehicle to conform to EPA guidelines.

4 **Section 2.** NRS 445B.780 is hereby amended to read as follows:
5 445B.780 1. The Commission shall, by regulation, establish a
6 program for the regulation of smoke and other emissions by inspection of
7 heavy-duty motor vehicles that are powered by ~~{diesel fuel or gasoline.~~
8 ~~The program must be substantially similar to the program established in~~
9 ~~the State of California.~~

10 ~~2. The Director of the State Department of Conservation and Natural~~
11 ~~Resources shall review each amendment, repeal or other revision of a law~~
12 ~~or regulation of the State of California relating to the program established~~
13 ~~pursuant to subsection 1 to determine its appropriateness for this state. The~~
14 ~~Director shall recommend to the Commission any such provisions which~~
15 ~~he deems necessary or appropriate to ensure that program remains~~
16 ~~substantially similar to the program established in the State of California.~~

17 ~~3. *motor vehicle fuel or special fuel diesel fuel.*~~
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This section would pertain only to vehicles powered by motor fuel and diesel fuel - reference to special fuel was deleted to address concerns about propane as a special fuel.

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PROPOSED AMENDMENT TO AB36

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 4/2/03 ROOM: 3161 EXHIBIT T 1-4
SUBMITTED BY: Linda Eissmann

2. The Commission shall adopt regulations concerning:

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

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

~~4.3.~~ 3. As used in this section ~~[- a "heavy-duty"]~~ :

(a) "Heavy-duty motor vehicle" means a motor vehicle except a passenger car that has a manufacturer's gross vehicle weight rating of ~~8,500~~ 10,001 pounds or more.

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

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

Section 3. NRS 445B.795 is hereby amended to read as follows:

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

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

(a) All passenger cars;

(b) Light-duty motor vehicles; and

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

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

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

3. In designated areas in other counties where the commission puts a program into effect, all used motor vehicles which require inspection pursuant to the regulations adopted by the commission under NRS 445B.770 are required to have evidence of compliance upon registration or reregistration.

The definition of heavy-duty vehicle was altered for this section only, to exclude passenger vehicles and vehicles under 10,000 lbs.

Section 3 would be a new section of the bill and was proposed in the original mock-up. Amendment proposed by NV Motor Transport Association and revised by DMV (noted below)

This language in Subsection 2 was in the original mock-up in the previous section. It was moved to this section dealing with compulsory testing to ensure that proper standards for these vehicles are adopted before testing begins. References to subsection 1(c) and vehicles with a gross vehicle rating of 8,500 to 10,000 lbs were removed so that the testing procedures adopted by the Commission must apply to all vehicles listed in Subsection 1 of Section 3.

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

4 **Section 4.** NRS 445B.815 is hereby amended to read as follows:

5 445B.815 1. Except as otherwise provided in subsection 2, persons
6 employed at branch offices of the department of motor vehicles and the
7 offices of county assessors who are acting as agents of the department in
8 the collection of fees for registration, shall not register:

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

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

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

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

14 (b) A motor vehicle with a gross vehicle weight rating from 8,500 to
15 10,000 pounds inclusive that:

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

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

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

20 (c) A vehicle which:

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

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

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

31 **Section 5.** NRS 590.070 is hereby amended to read as follows:

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

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

44 ~~3. 2.~~ It is unlawful for any person, or any officer, agent or employee
45 thereof, to sell, offer for sale, assist in the sale of, deliver or permit to be

Section 4 would be a new section of the bill. This language was in the original mock-up, and was proposed by the NV Motor Transport Association.

Section 5 would be a new section of the bill and was found in the original mock-up. Amendment proposed by Assemblyman Geddes.

1 sold or offered for sale, any petroleum or petroleum product as, or
2 purporting to be, gasoline or diesel fuel, unless it conforms with the
3 regulations adopted by the state board of agriculture pursuant to this
4 section.

5 ~~4.~~ 3. This section does not apply to aviation fuel.

6 ~~5.~~ 4. In addition to any criminal penalty that is imposed pursuant to the
7 provisions of NRS 590.150, any person who violates any provision of this
8 section may be further punished as provided in NRS 590.071.

9 Section 6. The provisions of this act do not apply to military tactical
10 vehicles.

Section 6 was added to exempt
military tactical vehicles at the request
of the Department of Defense.

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