

SENATE BILL NO. 189—SENATORS TITUS, CARLTON, WIENER,
CARE, SCHNEIDER, AMODEI, CEGAVSKE, COFFIN, HARDY,
MATHEWS, MCGINNESS, NEAL, NOLAN, O'CONNELL,
RAGGIO, RHOADS AND TIFFANY

FEBRUARY 21, 2003

Referred to Committee on Natural Resources

SUMMARY—Provides for biennial inspection and testing of
emissions of motor vehicles in certain counties.
(BDR 40-1018)

FISCAL NOTE: Effect on Local Government: No.
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 vehicle emissions; providing for the biennial
inspection and testing of emissions of motor vehicles in
certain counties; establishing a maximum fee which may
be charged for such a biennial inspection; 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.** NRS 445B.770 is hereby amended to read as
2 follows:

3 445B.770 1. In any county whose population is 100,000 or
4 more, the Commission shall, in cooperation with the Department of
5 Motor Vehicles and any local air pollution control agency, adopt
6 regulations for the control of emissions from motor vehicles in areas
7 of the county designated by the Commission. *In any such area in a*
8 *county whose population is 400,000 or more, the regulations must*
9 *require that motor vehicles with a model year of 1996 or newer be*
10 *inspected every 2 years for compliance with standards for the*
11 *control of emissions.*

12 2. In any county whose population is less than 100,000, if the
13 Commission determines that it is feasible and practicable to carry



1 out a program of inspecting and testing motor vehicles and systems
2 for the control of emissions from motor vehicles, and if carrying out
3 the program is deemed necessary to achieve or maintain the
4 prescribed standards for the quality of ambient air in areas of the
5 State designated by the Commission, the Commission shall, in
6 cooperation with the Department of Motor Vehicles and any local
7 air pollution control agency established under NRS 445B.500 which
8 has jurisdiction in a designated area, adopt regulations and
9 transportation controls as may be necessary to carry out the
10 program.

11 3. The regulations must distinguish between light-duty and
12 heavy-duty motor vehicles and may prescribe:

13 (a) Appropriate criteria and procedures for the approval,
14 installation and use of devices for the control of emissions from
15 motor vehicles; and

16 (b) Requirements for the proper maintenance of such devices
17 and motor vehicles.

18 4. The regulations must establish:

19 (a) Requirements by which the Department of Motor Vehicles
20 shall license authorized stations to inspect, repair, adjust and install
21 devices for the control of emissions for motor vehicles, including
22 criteria by which any person may become qualified to inspect,
23 repair, adjust and install those devices.

24 (b) Requirements by which the Department of Motor Vehicles
25 may license an owner or lessee of a fleet of three or more vehicles
26 as a fleet station if the owner or lessee complies with the regulations
27 of the Commission. The fleet station shall only certify vehicles
28 which constitute that fleet.

29 (c) Requirements by which the Department of Motor Vehicles
30 provides for inspections of motor vehicles owned by this state and
31 any of its political subdivisions.

32 5. The Commission shall consider, before adopting any
33 regulation or establishing any criteria pursuant to paragraph (a) of
34 subsection 3:

35 (a) The availability of devices adaptable to specific makes,
36 models and years of motor vehicles.

37 (b) The effectiveness of those devices for reducing the emission
38 of each type of air pollutant under conditions in this state.

39 (c) The capability of those devices for reducing any particular
40 type or types of pollutants without significantly increasing the
41 emission of any other type or types of pollutant.

42 (d) The capacity of any manufacturer to produce and distribute
43 the particular device in such quantities and at such times as will
44 meet the estimated needs in Nevada.



1 (e) The reasonableness of the retail cost of the device and the
2 cost of its installation and maintenance over the life of the device
3 and the motor vehicle.

4 (f) The ease of determining whether any such installed device is
5 functioning properly.

6 **Sec. 2.** NRS 445B.795 is hereby amended to read as follows:

7 445B.795 **1.** The authority set forth in NRS 445B.770
8 providing for a compulsory inspection program is limited as
9 follows:

10 ~~{1. In}~~

11 *(a) Except as otherwise provided in subsection 2, in* a county
12 whose population is 100,000 or more, all passenger cars and light-
13 duty motor vehicles which use diesel fuel and require inspection
14 pursuant to the regulations adopted by the Commission under NRS
15 445B.770 are required to have evidence of compliance upon
16 registration or reregistration.

17 ~~{2. In}~~

18 *(b) Except as otherwise provided in subsection 2, in* areas
19 which have been designated by the Commission for inspection
20 programs and which are located in counties whose populations are
21 100,000 or more, all used motor vehicles which require inspection
22 pursuant to the regulations adopted by the Commission under NRS
23 445B.770 are required to have evidence of compliance upon
24 registration or reregistration.

25 ~~{3.}~~ *(c)* In designated areas in other counties where the
26 Commission puts a program into effect, all used motor vehicles
27 which require inspection pursuant to the regulations adopted by the
28 Commission under NRS 445B.770 are required to have evidence of
29 compliance upon registration or reregistration.

30 ~~{4.}~~ *(d)* The board of county commissioners of a county
31 containing a designated area may revise its program for the
32 designated area after receiving the approval of the Commission.

33 **2.** *If, in accordance with subsection 1, evidence of*
34 *compliance is presented upon registration or reregistration of a*
35 *motor vehicle subject to biennial inspections pursuant to*
36 *NRS 445B.770:*

37 *(a) In an even-numbered year, the motor vehicle is not*
38 *required to have evidence of compliance upon registration or*
39 *reregistration until the next following even-numbered year.*

40 *(b) In an odd-numbered year, the motor vehicle is not required*
41 *to have evidence of compliance upon registration or reregistration*
42 *until the next following odd-numbered year.*

43 **Sec. 3.** NRS 445B.830 is hereby amended to read as follows:

44 445B.830 **1.** In areas of the State where and when a program
45 is commenced pursuant to NRS 445B.770 to 445B.815, inclusive,



* S B 1 8 9 *

1 the following fees must be paid to the Department of Motor
2 Vehicles and accounted for in the Pollution Control Account, which
3 is hereby created in the State General Fund:

4 (a) For the issuance and annual renewal of a license for an
5 authorized inspection station, authorized maintenance station,
6 authorized station or fleet station..... \$25

7 (b) For each set of 25 forms certifying emission control
8 compliance..... 125

9 (c) For each form issued to a fleet station 5

10 2. Except as otherwise provided in subsections 4, 5 and 6, and
11 after deduction of the amount required for grants pursuant to
12 paragraph (a) of subsection 4, money in the Pollution Control
13 Account may, pursuant to legislative appropriation or with the
14 approval of the Interim Finance Committee, be expended by the
15 following agencies in the following order of priority:

16 (a) The Department of Motor Vehicles to carry out the
17 provisions of NRS 445B.770 to 445B.845, inclusive.

18 (b) The State Department of Conservation and Natural
19 Resources to carry out the provisions of this chapter.

20 (c) The State Department of Agriculture to carry out the
21 provisions of NRS 590.010 to 590.150, inclusive.

22 (d) Local governmental agencies in nonattainment or
23 maintenance areas for an air pollutant for which air quality criteria
24 have been issued pursuant to 42 U.S.C. § 7408, for programs related
25 to the improvement of the quality of the air.

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

29 3. The Department of Motor Vehicles may prescribe by
30 regulation routine fees for inspection at the prevailing shop labor
31 rate, including, without limitation, maximum charges for those fees,
32 and for the posting of those fees in a conspicuous place at an
33 authorized inspection station or authorized station ~~§~~, *except that*
34 *the maximum fee that may be charged for the biennial inspection*
35 *of a vehicle pursuant to NRS 445B.770 is \$35.*

36 4. The Department of Motor Vehicles shall by regulation
37 establish a program to award grants of money in the Pollution
38 Control Account to local governmental agencies in nonattainment or
39 maintenance areas for an air pollutant for which air quality criteria
40 have been issued pursuant to 42 U.S.C. § 7408, for programs related
41 to the improvement of the quality of air. The grants to agencies in a
42 county pursuant to this subsection must be made from:

43 (a) An amount of money in the Pollution Control Account that is
44 equal to one-fifth of the amount received for each form issued in the
45 county pursuant to subsection 1; and



1 (b) Excess money in the Pollution Control Account. As used in
2 this paragraph, "excess money" means the money in excess of
3 \$500,000 remaining in the Pollution Control Account at the end of
4 the fiscal year, after deduction of the amount required for grants
5 pursuant to paragraph (a) and any disbursements made from the
6 Account pursuant to subsection 2.

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

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

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

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

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

18 6. Grants proposed pursuant to subsections 4 and 5 must be
19 submitted to the appropriate Deputy Director of the Department of
20 Motor Vehicles and the Administrator of the Division of
21 Environmental Protection of the State Department of Conservation
22 and Natural Resources. Proposed grants approved by the appropriate
23 Deputy Director and the Administrator must not be awarded until
24 approved by the Interim Finance Committee.

25 **Sec. 4.** The State Environmental Commission shall adopt the
26 regulations required by the amendatory provisions of section 1 of
27 this act as soon as practicable after the effective date of that section.

28 **Sec. 5.** 1. This section and sections 1 and 4 of this act
29 become effective upon passage and approval.

30 2. Sections 2 and 3 of this act become effective on October 1,
31 2003.

