

ASSEMBLY BILL NO. 2—ASSEMBLYMEN KIRKPATRICK AND KIRNER

PREFILED DECEMBER 13, 2010

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to emissions testing for certain vehicles. (BDR 43-134)

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 motor vehicles; providing an exemption from emissions inspection for certain motor vehicles; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the issuance of special license plates for certain older motor vehicles in categories including antique vehicles, street rods, classic rods and classic vehicles. (NRS 482.381, 482.3812, 482.3814, 482.3816) Existing law also requires the State Environmental Commission to establish criteria that allow motor vehicles with such license plates to qualify for an exemption from standards for the control of emissions from motor vehicles, and to provide by regulation that an evaluation required of such motor vehicles to qualify for the exemption may be conducted at stations authorized to perform inspections of motor vehicles and devices for compliance with emissions standards. (NRS 445B.760)

**Section 5** of this bill provides for the exemption of those older motor vehicles that have been issued the special license plates from standards for the control of emissions without the performance of any such evaluation if the owner of the motor vehicle certifies that the motor vehicle has not been driven more than 5,000 miles the previous year. **Sections 1.7-4** of this bill require that the owner of such a motor vehicle which qualifies for the exemption pay a fee to the Department of Motor Vehicles, to be accounted for in the Pollution Control Account, in an amount equal to the cost for a certificate of compliance with emissions standards (currently \$6, but subject to statutory change).

**Section 1** of this bill provides that if an authorized inspection station or authorized station tests the emissions from a motor vehicle and the motor vehicle fails the emissions test, the Department of Motor Vehicles is prohibited, for a period of 90 days after the motor vehicle fails the emissions test, from issuing for the motor vehicle an "Old Timer," "Street Rod," "Classic Rod" or "Classic Vehicle" special license plate. The effect of **section 1** is to discourage persons from attempting to obtain such a special license plate for the express purpose of circumventing the laws of this State pertaining to emissions from motor vehicles.



27 **Section 1** applies only within the geographic areas of this State in which motor  
28 vehicles are subject to emissions testing.

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

1     **Section 1.** Chapter 482 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     *1. If, with respect to a motor vehicle that is required to*  
4 *comply with the provisions of NRS 445B.700 to 445B.815,*  
5 *inclusive, and the regulations adopted pursuant thereto, an*  
6 *authorized inspection station or authorized station tests the*  
7 *emissions from the motor vehicle and the motor vehicle fails the*  
8 *emissions test, the Department shall not issue a special license*  
9 *plate for that vehicle pursuant to NRS 482.381, 482.3812,*  
10 *482.3814 or 482.3816 for a period of 90 days after the motor*  
11 *vehicle fails the emissions test.*

12     2. As used in this section:

13     (a) “Authorized inspection station” has the meaning ascribed  
14 to it in NRS 445B.710.

15     (b) “Authorized station” has the meaning ascribed to it in  
16 NRS 445B.720.

17     (c) “Fails the emissions test” means that a motor vehicle does  
18 not comply with the applicable provisions of NRS 445B.700 to  
19 445B.815, inclusive, and the regulations adopted pursuant thereto.

20     **Sec. 1.7.** NRS 482.381 is hereby amended to read as follows:

21     482.381 1. ~~[The]~~ *Except as otherwise provided in section 1*  
22 *of this act, the* Department may issue special license plates and  
23 registration certificates to residents of Nevada for any motor vehicle  
24 which is a model manufactured more than 40 years before the date  
25 of application for registration pursuant to this section.

26     2. License plates issued pursuant to this section must bear the  
27 inscription “Old Timer,” and the plates must be numbered  
28 consecutively.

29     3. The Nevada Old Timer Club members shall bear the cost of  
30 the dies for carrying out the provisions of this section.

31     4. The Department shall charge and collect the following fees  
32 for the issuance of these license plates, which fees are in addition to  
33 all other license fees and applicable taxes:

34     (a) For the first issuance .....\$35

35     (b) For a renewal sticker ..... 10

36     5. *In addition to the fees required pursuant to subsection 4,*  
37 *the Department shall charge and collect a fee for the first issuance*  
38 *of the license plates for those motor vehicles exempted pursuant to*  
39 *NRS 445B.760 from the provisions of NRS 445B.770 to 445B.815,*



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1 *inclusive. The amount of the fee must be equal to the amount of*  
2 *the fee for a form certifying emission control compliance set forth*  
3 *in paragraph (c) of subsection 1 of NRS 445B.830.*

4 *6. Fees paid to the Department pursuant to subsection 5 must*  
5 *be accounted for in the Pollution Control Account created by*  
6 *NRS 445B.830.*

7 **Sec. 2.** NRS 482.3812 is hereby amended to read as follows:

8 482.3812 1. ~~[The]~~ *Except as otherwise provided in section 1*  
9 *of this act, the* Department may issue special license plates and  
10 registration certificates to residents of Nevada for any passenger car  
11 or light commercial vehicle:

12 (a) Having a manufacturer's rated carrying capacity of 1 ton or  
13 less; and

14 (b) Manufactured not later than 1948.

15 2. License plates issued pursuant to this section must be  
16 inscribed with the words "STREET ROD" and three or four  
17 consecutive numbers.

18 3. If during a registration year, the holder of special plates  
19 issued pursuant to this section disposes of the vehicle to which the  
20 plates are affixed, the holder shall retain the plates and:

21 (a) Affix them to another vehicle which meets the requirements  
22 of this section and report the change to the Department in  
23 accordance with the procedure set forth for other transfers; or

24 (b) Within 30 days after removing the plates from the vehicle,  
25 return them to the Department.

26 4. The fee for the special license plates is \$35, in addition to all  
27 other applicable registration and license fees and governmental  
28 services taxes. The fee for an annual renewal sticker is \$10.

29 *5. In addition to the fees required pursuant to subsection 4,*  
30 *the Department shall charge and collect a fee for the first issuance*  
31 *of the special license plates for those motor vehicles exempted*  
32 *pursuant to NRS 445B.760 from the provisions of NRS 445B.770*  
33 *to 445B.815, inclusive. The amount of the fee must be equal to the*  
34 *amount of the fee for a form certifying emission control*  
35 *compliance set forth in paragraph (c) of subsection 1 of*  
36 *NRS 445B.830.*

37 *6. Fees paid to the Department pursuant to subsection 5 must*  
38 *be accounted for in the Pollution Control Account created by*  
39 *NRS 445B.830.*

40 **Sec. 3.** NRS 482.3814 is hereby amended to read as follows:

41 482.3814 1. ~~[The]~~ *Except as otherwise provided in section 1*  
42 *of this act, the* Department may issue special license plates and  
43 registration certificates to residents of Nevada for any passenger car  
44 or light commercial vehicle:



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(a) Having a manufacturer's rated carrying capacity of 1 ton or less; and

(b) Manufactured not earlier than 1949, but at least 20 years before the application is submitted to the Department.

2. License plates issued pursuant to this section must be inscribed with the words "CLASSIC ROD" and three or four consecutive numbers.

3. If during a registration year, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and:

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

4. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and government services taxes. The fee for an annual renewal sticker is \$10.

*5. In addition to the fees required pursuant to subsection 4, the Department shall charge and collect a fee for the first issuance of the special license plates for those motor vehicles exempted pursuant to NRS 445B.760 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830.*

*6. Fees paid to the Department pursuant to subsection 5 must be accounted for in the Pollution Control Account created by NRS 445B.830.*

**Sec. 4.** NRS 482.3816 is hereby amended to read as follows:

482.3816 1. ~~[The]~~ *Except as otherwise provided in section 1 of this act, the* Department may issue special license plates and registration certificates to residents of Nevada for any passenger car or light commercial vehicle:

(a) Having a manufacturer's rated carrying capacity of 1 ton or less;

(b) Manufactured at least 25 years before the application is submitted to the Department; and

(c) Containing only the original parts which were used to manufacture the vehicle or replacement parts that duplicate those original parts.

2. License plates issued pursuant to this section must be inscribed with the words "CLASSIC VEHICLE" and three or four consecutive numbers.



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3. If during a registration year, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and:

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

4. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The fee for an annual renewal sticker is \$10.

*5. In addition to the fees required pursuant to subsection 4, the Department shall charge and collect a fee for the first issuance of the special license plates for those motor vehicles exempted pursuant to NRS 445B.760 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830.*

*6. Fees paid to the Department pursuant to subsection 5 must be accounted for in the Pollution Control Account created by NRS 445B.830.*

**Sec. 5.** NRS 445B.760 is hereby amended to read as follows:

445B.760 1. The Commission may by regulation prescribe standards for exhaust emissions, fuel evaporative emissions and visible emissions of smoke from mobile internal combustion engines on the ground or in the air, including, but not limited to, aircraft, motor vehicles, snowmobiles and railroad locomotives. The regulations must ~~be~~:

~~—(a) Provide~~ *provide* for the exemption from such standards of ~~restored vehicles~~ *a vehicle* for which special license plates have been issued pursuant to NRS 482.381, 482.3812, 482.3814 or 482.3816 ~~be~~.

~~—(b) Establish criteria for the condition and functioning of a restored vehicle to qualify for the exemption, and provide that the evaluation of the condition and functioning of such a vehicle may be conducted at an authorized inspection station or authorized station as defined in NRS 445B.710 and 445B.720, respectively.~~

~~—(c) Define “restored vehicle” for the purposes of the regulations.~~ *if the owner of such a vehicle certifies to the Department of Motor Vehicles, on a form provided by the Department of Motor Vehicles, that the vehicle was not driven more than 5,000 miles during the immediately preceding year.*

2. Except as otherwise provided in subsection 3, standards for exhaust emissions which apply to a:



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- 1 (a) Reconstructed vehicle, as defined in NRS 482.100; and  
2 (b) Trimobile, as defined in NRS 482.129,  
3 ➔ must be based on standards which were in effect in the year in  
4 which the engine of the vehicle was built.  
5 3. A trimobile that meets the definition of a motorcycle in 40  
6 C.F.R. § 86.402-78 or 86.402-98, as applicable, is not subject to  
7 emissions standards under this chapter.  
8 4. Any such standards which pertain to motor vehicles must be  
9 approved by the Department of Motor Vehicles before they are  
10 adopted by the Commission.  
11 **Sec. 6.** (Deleted by amendment.)

