

CHAPTER.....

AN ACT relating to air pollution; revising provisions governing the Pollution Control Account; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Pollution Control Account, which is funded with certain fees collected from each authorized inspection station, authorized maintenance station, authorized station and fleet station. The money in the Pollution Control Account is distributed quarterly to local governmental agencies in nonattainment or maintenance areas for certain air pollutants in an amount equal to one-sixth of the amount received for certain forms distributed in each county. The remaining money in the Pollution Control Account in excess of \$1,000,000 is awarded in grants to local governmental agencies in nonattainment or maintenance areas for certain air pollutants for programs related to the improvement of the quality of the air. (NRS 445B.830) This bill eliminates the program of grants and requires instead that the money in the Pollution Control Account be distributed quarterly to local air pollution control agencies in nonattainment or maintenance areas for certain air pollutants in an amount equal to one-sixth of the amount received for certain forms distributed in each county. This bill requires that the remaining money in the Pollution Control Account in excess of \$1,000,000 be distributed to local air pollution control agencies in nonattainment or maintenance areas for certain air pollutants for programs related to the improvement of the quality of the air in proportion to the number of certain forms issued in each county.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

Section 1. NRS 445B.830 is hereby amended to read as follows:

445B.830 1. In areas of the State where and when a program is commenced pursuant to NRS 445B.770 to 445B.815, inclusive, the following fees must be paid to the Department of Motor Vehicles and accounted for in the Pollution Control Account, which is hereby created in the State General Fund:

- (a) For the issuance and annual renewal of a license for an authorized inspection station, authorized maintenance station, authorized station or fleet station..... \$25
- (b) For each set of 25 forms certifying emission control compliance..... 150
- (c) For each form issued to a fleet station..... 6

2. Except as otherwise provided in ~~subsection 7~~ ***subsection 6***, ~~and 8,~~ and after deduction of the amounts distributed pursuant to



subsection 4, money in the Pollution Control Account may, pursuant to legislative appropriation or with the approval of the Interim Finance Committee, be expended by the following agencies in the following order of priority:

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

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

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

(d) Local ~~{governmental}~~ *air pollution control* agencies in nonattainment or maintenance areas for an air pollutant for which air quality criteria have been issued pursuant to 42 U.S.C. § 7408, for programs related to the improvement of the quality of the air.

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

3. The Department of Motor Vehicles may prescribe by regulation routine fees for inspection at the prevailing shop labor rate, including, without limitation, maximum charges for those fees, and for the posting of those fees in a conspicuous place at an authorized inspection station or authorized station.

4. The Department of Motor Vehicles shall make quarterly distributions of money in the Pollution Control Account to local ~~{governmental}~~ *air pollution control* agencies in nonattainment or maintenance areas for an air pollutant for which air quality criteria have been issued pursuant to 42 U.S.C. § 7408. The distributions of money made to agencies in a county pursuant to this subsection must be made from an amount of money in the Pollution Control Account that is equal to one-sixth of the amount received for each form issued in the county pursuant to subsection 1.

5. Each local ~~{governmental}~~ *air pollution control* agency that receives money pursuant to ~~{subsection}~~ *subsections 4 and 6* shall, not later than 45 days after the end of the fiscal year in which the money is received, submit to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee a report on the use of the money received.

6. The Department of Motor Vehicles shall ~~{by regulation establish a program to award grants of}~~ *make annual distributions of excess* money in the Pollution Control Account to local ~~{governmental}~~ *air pollution control* agencies in nonattainment or maintenance areas for an air pollutant for which air quality criteria have been issued pursuant to 42 U.S.C. § 7408, for programs related



to the improvement of the quality of the air. ~~{The grants to agencies in a county pursuant to this subsection must be made from any excess money in the Pollution Control Account.}~~ *The distributions of excess money made to local air pollution control agencies in a county pursuant to this subsection must be made in an amount proportionate to the number of forms issued in the county pursuant to subsection 1.* As used in this subsection, "excess money" means the money in excess of \$1,000,000 remaining in the Pollution Control Account at the end of the fiscal year, after deduction of the amounts distributed pursuant to subsection 4 and any disbursements made from the Account pursuant to subsection 2.

7. ~~{Any regulations adopted pursuant to subsection 6 must}~~ *The Department of Motor Vehicles shall* provide for the creation of an advisory committee consisting of representatives of state and local agencies involved in the control of emissions from motor vehicles. The committee shall:

(a) ~~{Review applications for grants and make recommendations for their approval, rejection or modification;}~~
~~—(b)}~~ Establish goals and objectives for the program for control of emissions from motor vehicles;

~~{(c)}~~ (b) Identify areas where funding should be made available; and

~~{(d)}~~ (c) Review and make recommendations concerning regulations adopted pursuant to ~~{subsection 6 or}~~ NRS 445B.770.

~~{8. Grants proposed pursuant to subsections 6 and 7 must be submitted to the appropriate deputy director of the Department of Motor Vehicles and the Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources. Proposed grants approved by the appropriate deputy director and the Administrator must not be awarded until approved by the Interim Finance Committee.}~~

Sec. 2. This act becomes effective on July 1, 2013.

