

SENATE BILL NO. 148—SENATOR PARKS

FEBRUARY 18, 2013

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the Pollution Control Account. (BDR 40-448)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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

Legislative Counsel's Digest:

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



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 6,~~ ~~7 and 8,~~ *subsection 6,* 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



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1 money made to agencies in a county pursuant to this subsection
2 must be made from an amount of money in the Pollution Control
3 Account that is equal to one-sixth of the amount received for each
4 form issued in the county pursuant to subsection 1.

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

11 6. The Department of Motor Vehicles shall ~~{by regulation~~
12 ~~establish a program to award grants of}~~ *make annual distributions*
13 *of excess* money in the Pollution Control Account to local
14 ~~{governmental}~~ *air pollution control* agencies in nonattainment or
15 maintenance areas for an air pollutant for which air quality criteria
16 have been issued pursuant to 42 U.S.C. § 7408, for programs related
17 to the improvement of the quality of the air. ~~{The grants to agencies~~
18 ~~in a county pursuant to this subsection must be made from any~~
19 ~~excess money in the Pollution Control Account.}~~ *The distributions*
20 *of excess money made to local air pollution control agencies in a*
21 *county pursuant to this subsection must be made in an amount*
22 *proportionate to the number of forms issued in the county*
23 *pursuant to subsection 1.* As used in this subsection, "excess
24 money" means the money in excess of \$1,000,000 remaining in the
25 Pollution Control Account at the end of the fiscal year, after
26 deduction of the amounts distributed pursuant to subsection 4 and
27 any disbursements made from the Account pursuant to subsection 2.

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

33 (a) ~~{Review applications for grants and make recommendations~~
34 ~~for their approval, rejection or modification;~~

35 ~~—(b)}~~ Establish goals and objectives for the program for control of
36 emissions from motor vehicles;

37 ~~{(e)}~~ *(b)* Identify areas where funding should be made available;
38 and

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

41 ~~{8. Grants proposed pursuant to subsections 6 and 7 must be~~
42 ~~submitted to the appropriate deputy director of the Department of~~
43 ~~Motor Vehicles and the Administrator of the Division of~~
44 ~~Environmental Protection of the State Department of Conservation~~
45 ~~and Natural Resources. Proposed grants approved by the appropriate~~



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- 1 ~~deputy director and the Administrator must not be awarded until~~
2 ~~approved by the Interim Finance Committee.]~~
3 **Sec. 2.** This act becomes effective on July 1, 2013.

