

ASSEMBLY BILL NO. 146—COMMITTEE ON TRANSPORTATION

FEBRUARY 11, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions governing motor vehicle licensing. (BDR 40-15)

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 air pollution; revising provisions governing the frequency of required inspections of the emissions of certain motor vehicles; increasing fees charged by the Department of Motor Vehicles for certain forms; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Environmental Commission, in cooperation with the Department of Motor Vehicles and any local air pollution control agency, to adopt regulations for the control of emissions from motor vehicles in areas designated by the Commission. (NRS 445B.770) Existing law also imposes certain limitations on compulsory inspection programs established by the Commission. (NRS 445B.795)

Section 1 of this bill further limits the authority of the Commission by specifying that the regulations adopted by the Commission require: (1) the initial inspection of a new passenger car or new light-duty motor vehicle 4 years after the initial registration of the vehicle; and (2) the subsequent inspection of a passenger car or light-duty motor vehicle not more often than every 2 years.

Existing law requires the Department of Motor Vehicles to charge a fee for the forms distributed to certify emission control compliance in the amount of \$6 per form and \$150 per set of forms. (NRS 445B.830) **Section 2** of this bill raises the fees to \$12 per form and \$300 per set of forms so that the change in the required frequency of emissions inspections from every year to every other year prescribed by **section 1** does not affect the funding of the Pollution Control Account.

However, existing law also requires the Department of Motor Vehicles, for the initial issuance of license plates for "Old Timer" antique vehicles, "Street Rods," "Classic Rods" and "Classic Vehicles," to charge an additional fee that is equal in amount to the fee charged for a form distributed to certify emission control compliance. (NRS 482.381, 482.3812, 482.3814, 482.3816) To prevent an increase



23 in this additional fee for the initial issuance of these license plates, **sections 3-6** of
24 this bill fix this additional fee at the existing amount of \$6.

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

1 **Section 1.** NRS 445B.795 is hereby amended to read as
2 follows:

3 445B.795 The authority set forth in NRS 445B.770 providing
4 for a compulsory inspection program is limited as follows:

5 1. In a county whose population is 100,000 or more, the
6 following categories of motor vehicles which are powered by motor
7 vehicle fuel or special fuel and require inspection pursuant to the
8 regulations adopted by the Commission under NRS 445B.770 are
9 required to have evidence of compliance upon registration or
10 reregistration:

11 (a) All passenger cars;

12 (b) Light-duty motor vehicles;

13 (c) Heavy-duty motor vehicles that are powered by diesel fuel
14 and have a manufacturer's gross vehicle weight rating which does
15 not exceed 14,000 pounds; and

16 (d) Heavy-duty motor vehicles that are powered by motor
17 vehicle fuel or special fuel, excluding diesel fuel.

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

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

29 4. The board of county commissioners of a county containing a
30 designated area may revise its program for the designated area after
31 receiving the approval of the Commission.

32 5. Before carrying out the inspections of vehicles required
33 pursuant to the regulations adopted by the Commission pursuant to
34 NRS 445B.770, the Commission shall, by regulation, adopt testing
35 procedures and standards for emissions for those vehicles.

36 **6. The regulations adopted by the Commission pursuant to**
37 **NRS 445B.770 must require that:**



(a) *The initial inspection of a new passenger car or new light-duty motor vehicle be conducted 4 years after initial registration of the vehicle; and*

(b) *Except as otherwise provided in paragraph (a), the inspection of a passenger car or light-duty motor vehicle be conducted not more often than every 2 years.*

Sec. 2. 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~~ 300

(c) For each form issued to a fleet station..... ~~6~~ 12

2. Except as otherwise provided in 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 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 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 air pollution control agency that receives money pursuant to 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 make annual distributions of excess money in the Pollution Control Account to local 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 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. 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) Establish goals and objectives for the program for control of emissions from motor vehicles;

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

(c) Review and make recommendations concerning regulations adopted pursuant to NRS 445B.770.

Sec. 3. NRS 482.381 is hereby amended to read as follows:

482.381 1. Except as otherwise provided in NRS 482.2655, the Department may issue special license plates and registration certificates to residents of Nevada for any motor vehicle which is a model manufactured more than 40 years before the date of application for registration pursuant to this section.

2. License plates issued pursuant to this section must bear the inscription "Old Timer," and the plates must be numbered consecutively.



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

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

(a) For the first issuance \$35

(b) For a renewal sticker 10

5. In addition to the fees required pursuant to subsection 4, the Department shall charge and collect a fee *of \$6* for the first issuance of the 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 482.3812 is hereby amended to read as follows:

482.3812 1. Except as otherwise provided in NRS 482.2655, 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; and

(b) Manufactured not later than 1948.

2. License plates issued pursuant to this section must be inscribed with the words "STREET ROD" and a number of characters, including numbers and letters, as determined necessary by the Director.

3. If, during a registration period, 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 *of \$6* 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 482.3814 is hereby amended to read as follows:

482.3814 1. Except as otherwise provided in NRS 482.2655, 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; 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 a number of characters, including numbers and letters, as determined necessary by the Director.

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 ~~of \$6~~ 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. 6. NRS 482.3816 is hereby amended to read as follows:

482.3816 1. Except as otherwise provided in NRS 482.2655, 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 a number of characters, including numbers and letters, as determined necessary by the Director.

3. If, during a registration period, 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 of \$6 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. 7. This act becomes effective on July 1, 2015.

