

Amendment No. 1042

Assembly Amendment to Assembly Bill No. 146 First Reprint (BDR 40-15)

Proposed by: Assembly Committee on Ways and Means**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from A.B. 146 R1.

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of *green bold underlining* is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) *orange double underlining* is deleted language in the original bill proposed to be retained in this amendment.

MNM/BAW



Date: 5/31/2015

A.B. No. 146—Revises provisions governing motor vehicle licensing.
(BDR 40-15)



ASSEMBLY BILL NO. 146—COMMITTEE ON TRANSPORTATION

FEBRUARY 11, 2015

Referred to Committee on Transportation

SUMMARY—~~[Revises provisions governing]~~ **Provides for a study relating to emissions from motor vehicle licensing; vehicles.**
(BDR ~~[40-15]~~ **S-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 required inspections of the emissions of certain motor vehicles;]~~ **requiring the Advisory Committee on the Control of Emissions From Motor Vehicles to conduct a study concerning the inspection and testing of motor vehicles and systems for the control of emissions from motor vehicles in this State;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Environmental Commission, in cooperation with the Department of Motor Vehicles, to adopt regulations to prescribe standards for emissions from motor vehicles. (NRS 445B.760).¹

~~Section 2.2 of this bill requires the Commission to exempt from those standards any motor vehicle manufactured before 1996.~~

~~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 \$200 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 certain "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 if the vehicle for which such a license plate is issued is exempted from emissions testing. (NRS 482.381, 482.3812, 482.3814, 482.3816) Sections 3-6 of this bill remove the requirement for the fee as to vehicles with those certain license plates. Section 2.5 of this bill requires the Department to charge a fee that is equal to the amount of the fee for a form certifying emission control compliance at the initial issuance of license plates for any motor vehicle which is exempt from emissions testing by section 2.3. Section 2.5 also requires that the fees must be accounted for in the Pollution Control Account, to reduce the effect on the Account of the new exemption provided in section 2.3.~~

~~Section 6.2 of this bill clarifies that if the owner of a motor vehicle that was registered with "Old Timer," "Street Rod," "Classic Rod" or "Classic Vehicle" plates before July 1,~~

2015, has already, in connection with that vehicle, paid the special fee that is equal to the amount of the fee for a form certifying emission control compliance, such a person is not required to pay that same fee again for the same vehicle pursuant to section 2.5.] Existing law also requires the Commission, in cooperation with the Department and any local air pollution control agency, to adopt regulations for the control of emissions from motor vehicles in any county whose population is 100,000 or more (currently Clark and Washoe Counties). In any county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties), the Commission is required to adopt such regulations if the Commission makes certain determinations, including that it is feasible and practicable to carry out a program of inspecting and testing motor vehicles and systems for the control of emissions from motor vehicles. (NRS 445B.770)

This bill requires the Advisory Committee on the Control of Emissions From Motor Vehicles, which has been created by the Department, to conduct a study concerning the inspection and testing of motor vehicles and systems for the control of emissions from motor vehicles in this State. This bill also requires the Committee to submit, on or before June 30, 2016, a report of the results of the study and a proposal for an updated and modernized plan for such inspection and testing to the Director of the Legislative Counsel Bureau for transmittal to the Chairs of the Senate and Assembly Standing Committees on Transportation.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 2.3. ~~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 provide for the exemption from such standards of a motor vehicle for which special license plates have been issued pursuant to NRS 482.381, 482.3812, 482.3814 or 482.3816 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.] **manufactured before 1996.**~~

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

~~(a) Reconstructed vehicle, as defined in NRS 482.100; and~~

~~(b) Trimobile, as defined in NRS 482.129;~~

~~must be based on standards which were in effect in the year in which the engine of the vehicle was built.~~

~~3. A trimobile that meets the definition of a motorcycle in 40 C.F.R. § 86.402-78 or 86.402-98, as applicable, is not subject to emissions standards under this chapter.~~

~~4. Any such standards which pertain to motor vehicles must be approved by the Department of Motor Vehicles before they are adopted by the Commission.]~~
(Deleted by amendment.)

Sec. 2.5. ~~[Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. In addition to the fee for the issuance of a license plate and all other applicable registration and license fees and governmental services taxes, the Department shall charge and collect a fee 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.~~

~~2. Fees paid to the Department pursuant to subsection 1 must be accounted for in the Pollution Control Account created by NRS 445B.830.~~

~~3. As used in this section, "first issuance" means the first time that the plates with which a motor vehicle is registered are issued or renewed on or after July 1, 2015.~~ **(Deleted by amendment.)**

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

~~482.381 1. [Except as otherwise provided in NRS 482.2655, the] 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.....\$25~~

~~(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 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.~~ **(Deleted by amendment.)**

Sec. 4. ~~NRS 482.3812 is hereby amended to read as follows:~~

~~482.3812 1. [Except as otherwise provided in NRS 482.2655, the] 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 20 days after removing the plates from the vehicle, return them to the Department.~~

~~4. The fee for the special license plates is \$25, 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.] (Deleted by amendment.)~~

Sec. 5. ~~[NRS 482.3814 is hereby amended to read as follows:~~

~~482.3814 1. [Except as otherwise provided in NRS 482.2655, the] **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 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.] (Deleted by amendment.)~~

Sec. 6. ~~[NRS 482.3816 is hereby amended to read as follows:~~

~~482.3816 1. [Except as otherwise provided in NRS 482.2655, the] **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.~~

~~2. 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 20 days after removing the plates from the vehicle, return them to the Department.~~

~~4. The fee for the special license plates is \$25, 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.820.~~

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

~~Sec. 6.3. [Notwithstanding the provisions of section 2.5 of this act, no additional fee is required to be paid in connection with a motor vehicle pursuant to that section if:~~

~~1. The motor vehicle was manufactured before 1996;~~

~~2. Before July 1, 2015, the motor vehicle was registered with special license plates pursuant to NRS 482.381, 482.382, 482.384 or 482.386; and~~

~~3. The owner of the motor vehicle, pursuant to NRS 482.381, 482.382, 482.384 or 482.386, already paid to the Department an additional fee 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. (Deleted by amendment.)~~

Sec. 6.4. 1. The Advisory Committee on the Control of Emissions From Motor Vehicles shall conduct a study concerning the inspection and testing of motor vehicles and systems for the control of emissions from motor vehicles in this State.

2. On or before June 30, 2016, the Committee shall submit a report of the results of the study conducted pursuant to subsection 1 and a proposal for an updated and modernized plan for such inspection and testing to the Director of the Legislative Counsel Bureau for transmittal to the Chairs of the Senate and Assembly Standing Committees on Transportation.

3. As used in this section, "Advisory Committee on the Control of Emissions From Motor Vehicles" means the advisory committee described in subsection 7 of NRS 445B.830.

~~Sec. 6.5. [NRS 482.2655 is hereby repealed.] (Deleted by amendment.)~~

~~Sec. 7. This act becomes effective on July 1, 2015.~~

†

TEXT OF REPEALED SECTION

~~482.2655 Department not to issue special license plates for certain older motor vehicles within 90 days after failed emissions test.~~

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

~~2. As used in this section:~~

~~(a) "Authorized inspection station" has the meaning ascribed to it in NRS 445B.710.~~

~~(b) "Authorized station" has the meaning ascribed to it in NRS 445B.720.~~

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