

SENATE BILL NO. 152—SENATOR HAMMOND

PREFILED FEBRUARY 13, 2017

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to motor vehicles. (BDR 40-802)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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; revising provisions governing the exemption of certain older motor vehicles from emission control compliance; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, certain older vehicles qualify for special license plates
2 inscribed with the words “Old Timer,” “STREET ROD,” “CLASSIC ROD” or
3 “CLASSIC CAR.” (NRS 482.381, 482.3814, 482.3816) Such vehicles are exempt
4 from certain standards for exhaust emissions, fuel evaporative emissions and visible
5 emissions of smoke provided that the owner of the vehicle certifies to the Department
6 of Motor Vehicles that the vehicle was not driven more than 5,000 miles during the
7 immediately preceding year and pays a fee at the time of registration that is equal to
8 the fee for a form certifying emission control compliance. (NRS 445B.760) **Section 1**
9 of this bill newly requires that the owner of such a vehicle with a “CLASSIC ROD”
10 or “CLASSIC CAR” special license plate who is seeking the exemption from
11 emission control compliance to also provide to the Department verification of the
12 odometer reading of the vehicle completed by an approved inspector at certain
13 emissions compliance stations, and proof satisfactory to the Department that the
14 vehicle is covered by a motor vehicle liability policy that: (1) is designed or
15 designated specifically for classic or antique vehicles; or (2) includes an endorsement
16 that is designed or designated specifically for classic or antique vehicles. **Sections 6**
17 **and 7** of this bill make conforming changes. **Sections 2-4** of this bill revise provisions
18 relating to certain emission compliance stations, authorizing performance of the
19 odometer inspection and verification required by **section 1**. **Section 5** of this bill adds
20 the falsification of an odometer reading to the list of certain acts by emission
21 compliance inspectors and other persons that are unlawful, thereby making such an
22 act punishable as a misdemeanor. (NRS 445B.840, 445B.845)



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

1 **Section 1.** NRS 445B.760 is hereby amended to read as
2 follows:

3 445B.760 1. The Commission may by regulation prescribe
4 standards for exhaust emissions, fuel evaporative emissions and
5 visible emissions of smoke from mobile internal combustion
6 engines on the ground or in the air, including, but not limited to,
7 aircraft, motor vehicles, snowmobiles and railroad locomotives. The
8 regulations must provide for the exemption from such standards of:

9 (a) A moped registered pursuant to NRS 482.2155; ~~and~~

10 (b) A vehicle for which special license plates have been issued
11 pursuant to NRS 482.381 ~~;~~ ~~or~~ 482.3812 ~~;~~ ~~482.3814 or 482.3816~~
12 if the owner of such a vehicle certifies to the Department of Motor
13 Vehicles, on a form provided by the Department of Motor Vehicles,
14 that the vehicle was not driven more than 5,000 miles during the
15 immediately preceding year ~~;~~ ~~and~~

16 (c) *A vehicle for which special license plates have been issued*
17 *pursuant to NRS 482.3814 or 482.3816 if the owner of such a*
18 *vehicle provides to the Department of Motor Vehicles:*

19 (1) *Certification, on a form provided by the Department of*
20 *Motor Vehicles, that the vehicle was not driven more than 5,000*
21 *miles during the immediately preceding year;*

22 (2) *Verification, on a form provided by the Department of*
23 *Motor Vehicles, of the odometer reading of the vehicle within 30*
24 *days preceding the registration or renewal of registration of the*
25 *vehicle, completed by an approved inspector at an authorized*
26 *inspection station or an authorized station; and*

27 (3) *Proof satisfactory to the Department of Motor Vehicles*
28 *that the vehicle is covered by a motor vehicle liability policy that*
29 *meets the requirements of NRS 485.185 and that:*

30 (1) *Is designed or designated specifically for classic or*
31 *antique vehicles; or*

32 (2) *Includes an endorsement designed or designated*
33 *specifically for classic or antique vehicles.*

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

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

37 (b) Trimobile, as defined in NRS 482.129,

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

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



1 4. Any such standards which pertain to motor vehicles must be
2 approved by the Department of Motor Vehicles before they are
3 adopted by the Commission.

4 **Sec. 2.** NRS 445B.770 is hereby amended to read as follows:

5 445B.770 1. In any county whose population is 100,000 or
6 more, the Commission shall, in cooperation with the Department of
7 Motor Vehicles and any local air pollution control agency, adopt
8 regulations for the control of emissions from motor vehicles in areas
9 of the county designated by the Commission.

10 2. In any county whose population is less than 100,000, if the
11 Commission determines that it is feasible and practicable to carry
12 out a program of inspecting and testing motor vehicles and systems
13 for the control of emissions from motor vehicles, and if carrying out
14 the program is deemed necessary to achieve or maintain the
15 prescribed standards for the quality of ambient air in areas of the
16 State designated by the Commission, the Commission shall, in
17 cooperation with the Department of Motor Vehicles and any local
18 air pollution control agency established under NRS 445B.500 which
19 has jurisdiction in a designated area, adopt regulations and
20 transportation controls as may be necessary to carry out the
21 program.

22 3. The regulations must distinguish between light-duty and
23 heavy-duty motor vehicles and may prescribe:

24 (a) Appropriate criteria and procedures for the approval,
25 installation and use of devices for the control of emissions from
26 motor vehicles; and

27 (b) Requirements for the proper maintenance of such devices
28 and motor vehicles.

29 4. The regulations must establish:

30 (a) Requirements by which the Department of Motor Vehicles
31 shall license authorized stations to *inspect and verify odometer*
32 *readings required pursuant to paragraph (c) of subsection 1 of*
33 *NRS 445B.760 and to* inspect, repair, adjust and install devices for
34 the control of emissions for motor vehicles, including criteria by
35 which any person may become qualified to inspect, repair, adjust
36 and install those devices.

37 (b) Requirements by which the Department of Motor Vehicles
38 may license an owner or lessee of a fleet of three or more vehicles
39 as a fleet station if the owner or lessee complies with the regulations
40 of the Commission. The fleet station shall only certify vehicles
41 which constitute that fleet.

42 (c) Requirements by which the Department of Motor Vehicles
43 provides for inspections of motor vehicles owned by this State and
44 any of its political subdivisions.



1 5. The Commission shall consider, before adopting any
2 regulation or establishing any criteria pursuant to paragraph (a) of
3 subsection 3:

4 (a) The availability of devices adaptable to specific makes,
5 models and years of motor vehicles.

6 (b) The effectiveness of those devices for reducing the emission
7 of each type of air pollutant under conditions in this State.

8 (c) The capability of those devices for reducing any particular
9 type or types of pollutants without significantly increasing the
10 emission of any other type or types of pollutant.

11 (d) The capacity of any manufacturer to produce and distribute
12 the particular device in such quantities and at such times as will
13 meet the estimated needs in Nevada.

14 (e) The reasonableness of the retail cost of the device and the
15 cost of its installation and maintenance over the life of the device
16 and the motor vehicle.

17 (f) The ease of determining whether any such installed device is
18 functioning properly.

19 **Sec. 3.** NRS 445B.775 is hereby amended to read as follows:

20 445B.775 The regulations adopted by the Commission
21 pursuant to NRS 445B.770 must establish requirements by which
22 the Department of Motor Vehicles may license:

23 1. Authorized inspection stations, including criteria by which
24 any person may become qualified to inspect devices for the control
25 of emissions for motor vehicles. The regulations adopted by the
26 Commission pursuant to NRS 445B.770 must provide that a facility
27 licensed as an authorized inspection station:

28 (a) Except as otherwise provided in paragraph (b), may not,
29 unless specifically authorized by the Commission, install, repair,
30 diagnose or adjust any component or system of a motor vehicle that
31 affects exhaust emissions.

32 (b) May perform the following activities in connection with a
33 motor vehicle:

34 (1) The changing of oil;

35 (2) The replacing of an oil filter, air filter, fuel filter, belt or
36 hose; ~~and~~

37 (3) The servicing of a fuel injection system using methods
38 approved by the Division of Environmental Protection of the State
39 Department of Conservation and Natural Resources ~~H~~; and

40 *(4) The inspection and verification of odometer readings*
41 *required pursuant to paragraph (c) of subsection 1 of*
42 *NRS 445B.760.*

43 2. Authorized stations, including criteria by which any person
44 may become qualified to inspect, repair, adjust and install devices
45 for the control of emissions for motor vehicles.



1 **Sec. 4.** NRS 445B.785 is hereby amended to read as follows:
2 445B.785 1. The Department of Motor Vehicles shall, in
3 cooperation with the Commission, adopt regulations which:

4 (a) Prescribe requirements for licensing authorized inspection
5 stations, authorized stations and fleet stations. The regulations
6 adopted pursuant to this paragraph must provide that a facility
7 licensed as an authorized inspection station:

8 (1) Except as otherwise provided in subparagraph (2), may
9 not, unless specifically authorized by the Commission, install,
10 repair, diagnose or adjust any component or system of a motor
11 vehicle that affects exhaust emissions.

12 (2) May perform the following activities in connection with a
13 motor vehicle:

14 (I) The changing of oil;

15 (II) The replacing of an oil filter, air filter, fuel filter, belt
16 or hose; ~~and~~

17 (III) The servicing of a fuel injection system using
18 methods approved by the Division of Environmental Protection of
19 the State Department of Conservation and Natural Resources ~~†~~ ;
20 *and*

21 *(IV) The inspection and verification of odometer*
22 *readings required pursuant to paragraph (c) of subsection 1 of*
23 *NRS 445B.760.*

24 (b) Prescribe the manner in which authorized inspection
25 stations, authorized stations and fleet stations inspect motor vehicles
26 and issue evidence of compliance.

27 (c) Prescribe the diagnostic equipment necessary to perform the
28 required inspection. The regulations must ensure that:

29 (1) The equipment complies with any applicable standards of
30 the United States Environmental Protection Agency; and

31 (2) Use of the equipment is specifically authorized by the
32 Commission.

33 (d) Provide for any fee, bond or insurance which is necessary to
34 carry out the provisions of NRS 445B.700 to 445B.815, inclusive.

35 (e) Provide for the issuance of a pamphlet for distribution to
36 owners of motor vehicles. The pamphlet must contain information
37 explaining the reasons for and the methods of the inspections.

38 2. The Department of Motor Vehicles shall issue a copy of the
39 regulations to each authorized inspection station, authorized station
40 and fleet station.

41 **Sec. 5.** NRS 445B.840 is hereby amended to read as follows:

42 445B.840 It is unlawful for any person to:

43 1. Possess any unauthorized evidence of compliance;

44 2. Make, issue or use any imitation or counterfeit evidence of
45 compliance;



1 3. *Issue any false odometer reading;*

2 4. Willfully and knowingly fail to comply with the provisions
3 of NRS 445B.700 to 445B.815, inclusive, or any regulation adopted
4 by the Department of Motor Vehicles; or

5 ~~4.~~ 5. Issue evidence of compliance *or odometer readings* if
6 he or she is not a licensed inspector of an authorized inspection
7 station, authorized station or fleet station.

8 **Sec. 6.** NRS 482.3814 is hereby amended to read as follows:

9 482.3814 1. Except as otherwise provided in NRS 482.2655,
10 the Department may issue special license plates and registration
11 certificates to residents of Nevada for any passenger car or light
12 commercial vehicle:

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

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

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

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

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

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

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

32 5. In addition to the fees required pursuant to subsection 4, the
33 Department shall charge and collect a fee for the first issuance of the
34 special license plates for those motor vehicles exempted pursuant to
35 paragraph ~~(b)~~ (c) of subsection 1 of NRS 445B.760 from the
36 provisions of NRS 445B.770 to 445B.815, inclusive. The amount of
37 the fee must be equal to the amount of the fee for a form certifying
38 emission control compliance set forth in paragraph (c) of subsection
39 1 of NRS 445B.830.

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

43 **Sec. 7.** NRS 482.3816 is hereby amended to read as follows:

44 482.3816 1. Except as otherwise provided in NRS 482.2655,
45 the Department may issue special license plates and registration



1 certificates to residents of Nevada for any passenger car or light
2 commercial vehicle:

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

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

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

10 2. License plates issued pursuant to this section must be
11 inscribed with the words "CLASSIC VEHICLE" and a number of
12 characters, including numbers and letters, as determined necessary
13 by the Director.

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

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

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

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

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

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

36 **Sec. 8.** This act becomes effective upon passage and approval
37 for the purpose of adopting regulations and performing any other
38 preparatory administrative tasks that are necessary to carry out the
39 provisions of this act and on January 1, 2018, for all other purposes.

