

MINUTES
ASSEMBLY TRANSPORTATION COMMITTEE
MARCH 20, 1975

150

Members Present: Chairman Glover
Mr. Dreyer
Mr. Howard
Mr. Dini
Mr. Jacobsen
Mr. May
Mrs. Hayes

Members Absent: None

Guests (See attached List)

Chairman Glover called the meeting to order at 3:15 p.m.
The first bill discussed was:

A.B. 117 - revises provisions relating to vehicle dealers
and licensing thereof

Mr. E.J. Silva, Dept Motor Vehicle, spoke for the bill first. He presented the amendments to A.B. 117 which had been drafted by the Dept of Motor Vehicle and also Industry. He stated that the bill drafters had omitted some words and changed some language and that it would probably be necessary to add some additional language. He went on to explain the amendments that had been added which were done to set up a licensing structure for short term lessors and rent a car agencies. He explained at present the only control the DMV had over short term lessors or rent a car agencies is a registration requirement that an insurance certificate be filed with the Dept of Motor Vehicle. He explained the words added on page 3, lines 19-21 and lines 49-50. What DMV wants is to require that a short term lessor be licensed the same as any vehicle dealer when he sells his product. As it is now they can sell their vehicles to the public any way they want with no requirements at all. This bill would not require the girls that work behind the desk renting cars to be licensed, but only those people who actually go out and try to sell the cars to the public. Mr. Silva also explained the new wording pg 5, line 31-32. He said this had been the practice previously but had never been stated in the law.

Mr. Guinn, Nevada Motor Transport Assn, then conferred with Mr. Silva and they presented to the committee the additional amendment they would like to make to the bill On page 4, line 40, after the word "in" the words "this chapter" would be inserted and NRS 482.345 would be deleted.

Mr. May asked Mr. Guinn for a brief synopsis of the groups he is representing. Mr. Guinn stated that he represents ~~two groups~~: The Nevada Franchised Auto Dealers, a non profit coporation, representing about 70 members and 100 new auto dealers in Nevada. The second group is the Nevada Motor Transport Association

which represents the truck and bus operators. He stated that today he was speaking for the Nevada Franchised Auto Dealers.

The next Bill discussed was:

A.B. 326 -- Creates vehicle emission control section in registration division of the department of motor vehicles, sets forth duties of emission control officers and grants peace officer powers.

Chairman Glover stated that he had a conflict amendment drawn by Mr. Burnett. This would add a new section at the bottom of the bill. As it is it is in conflict with A.B. 215 already signed by the Governor.

John Ciardelli, Dept Motor Vehicle, spoke for the Bill. He explained that at present time the Dept of Motor Vehicle has the responsibility of licensing and regulating all the Emission Control Stations in the state which includes about 90 stations and 400 mechanics. DMV works closely with the State Environmental Commission who sets the standards and says what should be enforced. The problem is that some of the mechanics are not making proper inspections or doing some things illegally and the men assigned in DMV to handle these problems need some police authority to enforce the laws.

Mr. Dreyer asked if DMV would object to adding a line in the bill stating these men may have peace officer powers but would not be allowed early retirement. Mr. Ciardelli said it was already stated in line 19, page 1.

Mr. Silva also stated these men of DMV need peace officer powers in case they need to confiscate a machine, or issue a citation on the spot, etc.

Chairman Glover asked if it was a misdemeanor for violation. Mr. Ciardelli answered yes.

Mr. Howard asked how often do DMV people check the equipment. Mr. Silva answered the law requires at least once every 90 days. They would like to be able to do it every 60 days.

Mr. Jacobsen asked how a person is licensed presently. Mr. Ciardelli answered that there are rules and regulations adopted by the State Environment Commission which set up guidelines. The stations can only use authorized equipment approved by the Environment Commission; the mechanics are tested, and they must present their background and experience. Mr. Jacobsen asked why can't DMV jerk their license if they find a station or mechanic incompetent. Mr. Ciardelli answered that they need these powers to do so. Mr. Silva stated that before a license could be taken away they would have to be given a hearing.

Mr. Dreyer asked if DMV does follow up on written complaints.

Mr. Ciardelli answered yes, but many complaints just say I do not like the program. These can't really be followed up.

Mr. Ciardelli stated that from surveys taken many cars are passing the emission control inspection without incurring further expenses to bring their car up to standards. He stated that there are two licensed dealers in this area: The plymouth dealer in Carson and Bill Harrah in Reno.

Mr. May presented two articles from Newspapers on emission control and safety inspections to the committee. (see attached)

A.B. 355 -- changes designation from "State Assemblyman" to "State Assembly" on special license plate issued assemblyman.

Mr. Little, Dept Motor Vehicle, testified that this change would not cause any problems for his dept.

As there was no other testimony, Chairman Glover declared a five minute recess.

After the recess the following action was taken:

A.B. 355 Mr. Howard moved a Do Pass, Mr. May seconded. Mr. Jacobsen said he was against it; the title is Assemblyman not Assembly. Mr. Dini moved to postpone the bill until May 1. He withdrew his motion. Mr. Dreyer moved to amend the motion to hold the bill in committee until the bill's introducor, Assemblyman Brookman, could come and testify. Mr. Jacobsen seconded, and it was unanimous.

A.B. 117 Mr. Dreyer made a motion for Do Pass as Amended; Mrs. Hayes seconded, and it was unanimous. Chairman Glover asked Mr. Dreyer to speak on A.B. 117 on the floor.

A.B. 326 Mr. Dini moved for Do Pass; Mr. Dreyer seconded and the motion wqs unanimous. Chairman Glover asked Mr. Dini to speak for this bill on the floor.

Chairman Glover adjourned the meeting at 4:00 p.m.

AGENDA FOR COMMITTEE ON TRANSPORTATION.....

Date Thursday, Mar 20 Time 3:00 p.m. Room 214.....

Bills or Resolutions
to be considered

Subject

Counsel
requested*

- | Bills or Resolutions
to be considered | Subject | Counsel
requested* |
|--|---|-----------------------|
| A.B. 326 | Creates vehicle emission control section in registration division of the department of motor vehicles, sets forth duties of emission control officers and grants peace officer powers. Fiscal Note: No (Bdr 43-272) | |
| A.B. 355 | Changes designation from "State Assemblyman" to "State Assembly" on special license plate issued assemblyman. Fiscal Note: No. (BDR 43-515) | |
| A.B. 117 | Revises provisions relating to vehicle dealers and licensing thereof. Fiscal Note: No. (BDR 43-274) | |

LEGISLATION TO BE CONSIDERED:

AB 326

AB 355

A.B. 117

PLEASE PRINT LEGIBLY

Only those persons who have registered below will be permitted to speak. All persons wishing to present testimony will please sign in below, stating their name, who they represent, and whether they wish to speak for or against the matter to be considered by the committee.

Also please sign below if you wish just to observe and listen.

| NAME | REPRESENTING | GUEST | WISH TO SPEAK FOR AGAINST |
|---------------------------------------|--------------|--------------------|------------------------------|
| Freddie Little | DMV | | AB 355 |
| J. P. Fletcher | DMV | | |
| Ed Hapner | | | |
| Edabelle Egan | | Voters + Taxpayers | |
| Robert F. Quinn | NEA/A - | | |
| Ed Silva | DMV | | AB 117 |
| John C. Cull | DMV | | AB 326 |
| | | | AB 355 |
| | | | B 117 |
| Mrs Robert Quinn guest MORTHA CARR | | | |

MISSION CONTROL AND SAFETY INSPECTIONS

There's a rocky road ahead for motorists

by Bill Vincent

There is bad news down the road for Clark County car owners.

Unless the state legislature during its current session makes major revisions in the emission control law and the proposed safety inspection program, automobile owners will have to shell out millions of dollars to keep their vehicles on the road.

The big bite will come with mandatory emission control, getting your car tuned up or fixed up to meet exhaust standards that will go a long way in cleaning up the valley's polluted air. Drivers face a similar problem with safety, if the legislature passes a bill introduced in the Senate, but this won't hit the pocketbook so hard.

The root of the threat is the inspection system. It was turned over to the people who will make the adjustment and repairs, garages and service stations.

To say the inspectors have an economic interest in finding as much wrong as possible with the family car, is to state the obvious. To say further that the honest mechanics and station operators won't take advantage of this temptation, is to say some will.

Also, the legislature, while making it mandatory for motorists to get their cars inspected and tuned to meet emission standards, put no restrictions on the garages and service stations. They were left free to set the fee.

This is not an argument against pollution control but rather against the method of implementation, and implemented it will be because of the Clean Air Act and the Nevada Air Quality regulations and the Implementation plan.

To put the problem in focus, we only have to compare Arizona and Nevada. In our neighbor state, the job of inspecting all automobiles and trucks in the metropolitan areas of Phoenix and Tucson will be turned over to a private

firm, contracted out. A fixed fee of \$5 was set, although there is some feeling it may have to be raised.

The stations set up by the contractor will handle only the inspections. If your car is in good shape, working properly, and the hydrocarbons and carbon monoxide in the exhaust is equal to or less than the maximum allowed, this is the only cost.

If your car is out of time, needs breaker points, has a dirty PCV valve, requires new plugs or a ring and valve job, you take it to your favorite garage, filling station, a mechanically-minded friend or your own back yard to fix yourself. When the job is done, you return to the inspection station and have it rechecked. For this there is no charge. And it is fast. They estimate they can do six to eight an hour.

The Nevada legislature took another route. It gave the Motor Vehicle Department funds to license private garages and service stations, and train people to test the accuracy of the machines and the competency of the operators.

The licensed firms set their own fees and, according to the MVD, they run from \$10 to \$16.50. Two dollars are added to the fee for the MVD's certificate.

If your car is deficient, the garage or station will fix it for an additional charge. But if you are a do-it-yourself type, you will have to take your vehicle back for a second check, and that will cost you another \$10 to \$16.50.

The emission check often is not the simple affair it should be, and is in Arizona. There are cases where a fellow took his car to one of the larger establishments, retired to the waiting room for a smoke and was still there three hours later.

If you are not a back-yard mechanic yourself, and don't have a friend who is, all you can do is keep your fingers crossed and

hope you are in good hands. A tuneup, which can be done in a driveway for less than \$15 with parts you buy—for a four-cylinder it will be under \$10—will cost you from \$26 to \$50 at an honest garage.

This is rather standard, considered fair, and would be no or little different in Arizona. It is in the shady places where the costs will mount, especially for the uninformed and the gullible. They may claim the valve clearance has to be changed, or the carburetor boiled out which can set you back an additional \$45.

This is where there is a big difference between the Arizona and the Nevada system. In Arizona the testing station tells you what, if anything, is wrong. You can tell your garage mechanic that's what you want done and nothing more. Here the tester and the mechanic are one and the same. The man who finds fault with your machine is the man who fixes it.

Under Arizona's contract system, the legislature could provide for free inspections for the elderly on pensions, the handicapped and the welfare mother. Not in Nevada. The state can't tell a private garage owner he has to provide tests at no charge.

The same situation will hold if the Nevada legislature approves a senate bill to establish mandatory safety inspections for all vehicles. As now written, you would go to a garage or service station for the check of brakes, lights and turn signals. There could be no relief for the hard pressed. Incidentally, in Chicago both the emission control and safety inspections are free.

There are some who want the two inspections done at the same time at the same place by the same agency, preferably the Motor Vehicle Department, which would have no interest in profiting from them, or a private contractor who does nothing else and whose fee is set by the state.

Sunday, March 9, 1975—THE NEVADA

Originally, the auto pollution control system was scheduled to take place in several easy steps starting in Clark County and moving on to Washoe County. The first step was made in Clark County last year. It was limited to vehicles sold by dealers and used car lots.

This first modest effort was intended to move the state into the program gradually, give the Motor Vehicle Department a chance to obtain experience, work out the necessary forms, train personnel and collect data on procedures and what was being accomplished in pollution reduction.

There were 33,425 vehicles inspected at a cost to the buyer of slightly more than \$400,000. Most of these were cars sold off dealer and used car lots.

The Motor Vehicle Department examined the work records on 3,000 to find out what was done to bring them into line. The figures were modest, about \$11 a car, with some going up to \$15 and \$40.

However, it must be remembered these autos had been readied for re-sale. It will be a different story for the average guy who has driven for months without a tune up. Small adjustments, reflected in the cost figures above, won't do the job.

One bright aspect to come out of the program is the indication of what will be accomplished in air pollution reduction. Exhaust emissions were improved by nearly 50 per cent in more than 1850 cars on which the MVD was able to obtain "before" and "after" figures.

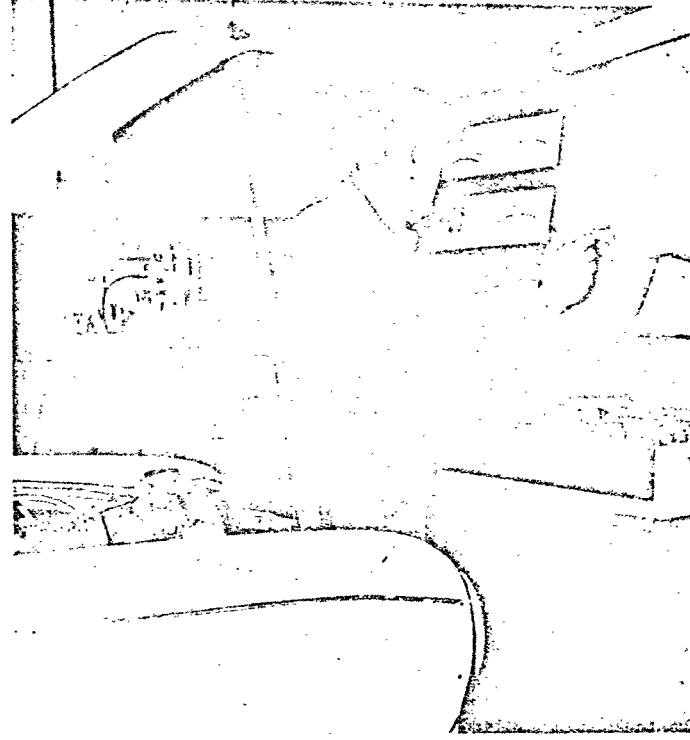
The accuracy of the figures on some autos are being questioned. Some people claim that there are cases where the carburetor air-gas ratio was changed, making it different than the manufacturer's specifications, just to get by the test, tinkering that will affect the vehicle's performance. We don't know, but there are other shortcomings to the present system.

We have in our possession a falsified certification of compliance. It was given to a stock car racer, a mechanic who knows about engines.

The station tested the emissions on his family auto, but put no electrical scanner on the ignition system. Yet the inspector entered on the certificate that the timing was 5 degrees before top dead center and the dwell-air gas was .016.

This guess was wrong. Said the owner, the timing was set at 6 degrees and the dwell at .018. No one knows the amount of false information that has been entered by the stations on the MVD forms.

We have heard of used car dealers who have bought or tried to buy certificates for clunkers which couldn't possibly pass the test. And



Checking the spark plugs on the scope. The electrical analyzer can pinpoint any problem in an ignition system.

there are cases of private sales where the buyer, because the rules say he is responsible, was stuck with an uncertifiable auto.

After a six-months trial period in Clark County, Washoe County was supposed to take its first step. This has not been done, a delay which has become a sore point with some Clark County representatives.

Inspection stations now licensed by the Motor Vehicle Department have expressed opposition to changing the system, arguing they will be hurt, left holding the bag for the expensive equipment they have purchased.

They won't. They will need the equipment to check the cars they repair and tune. It is the only way they can assure the auto owner he will pass the certification test.

Here in Nevada, the Environmental Commission continued the 1974 regulations on testing and emission standards, delaying the mandatory program until July 1. This will give the legislature, unless it is too bogged down, time to take another look at the problem. A lot of money is at stake.

In just Clark County there are 189,697 passenger cars. At \$12 a car, an average figure, it will cost owners \$2.2 million just to have their vehicles inspected. If a third of the cars on the road require adjustments and repairs, the bill for one year could be double or triple that figure.

On top of that may come a safety inspection of brakes, lights, wipers and turn signals. This would run to several bucks if turned over to private hands. And then there is the time lost while you sit and wait for a busy garage to get



DMV Warns Drivers On Smog Test Costs

By ANN HENDERSON
SUN Staff Writer

Motorists should beware of what Las Vegas "Authorized Pollution Control Stations" charge for emission tests and the suggested repairs necessary to meet standards, according to E. J. Silva, emission control section supervisor of the Department of Motor Vehicles (DMV).

In a survey of just five of the 85 authorized Las Vegas stations, the SUN found a spread of \$9.50 to \$15 for the tests required by law to license certain automobiles.

Cars of model years 1960 and newer must have the emission control tests before the car can be licensed in Nevada for the first time.

Model years 1959 and older are exempt because less than two per cent of the cars on the road are of that vintage. However, if older cars are emitting visible exhaust, a citation can be issued.

Because of service station overhead costs, some stations can charge less for the identical tests, said Silva. The only fee set by law is the actual cost of the emission certificate, which is two dollars.

However, service stations must file what they intend to charge as an inspection fee with the DMV before approval is given, and this fee must be posted. If the station exceeds that amount, the DMV can move in and take action, says Silva.

One station contacted by the SUN was in violation of the DMV regulations by stating the test would cost \$12, plus \$3 for the certificate, "because the price just went up."

Three other stations did not differentiate between the test and the certificate price, instead named one price, "complete."

Silva said infractions such as the SUN encountered should be reported immediately to the DMV. The public can aid in policing stations by providing information, he added, and more importantly by asking for a service order from the station in writing, signed by an official representative of the authorized station.

"If they don't want to sign for the inspection, I would strongly suggest car owners go to another station," said Silva.

Also, if any repairs suggested by the station as "necessary to pass the test" seem unreasonable, it would be worth spending the cost of another test and go to another station, he said.

Reports prior to July indicate the average cost of the pollution test is \$10.35, said Silva. However, since July the program has become more involved, so the average may be higher.

Nevada is a relative newcomer to the automobile pollution control business, says Silva. Primarily because of funding, the DMV chose to follow a program of licensing private enterprise to perform auto pollution tests.

The 1973 Legislature authorized \$17,000 to institute the program. An alternative, such as the New Jersey system (where all testing is done by the state and is part of the licensing procedure) would have meant a sizable chunk of money for Nevada, he said.

