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MOCK-UP

PROPOSED AMENDMENT TO
ASSEMBLY BILL NO. 237

PREPARED FOR ASSEMBLYMAN GEDDES
MARCH 17, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN
CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE
OFFICIAL AMENDMENT MAY DIFFER.

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

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

1 **Section 1.** Chapter 486A of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *"B5 biodiesel" means a blend of diesel fuel consisting of*
4 *finished diesel fuel meeting American Society for Testing Materials*
5 *(ASTM) specification D975 and consisting of:*

6 1. *Five percent diesel fuel that is made from renewable resources,*
7 *including, without limitation, soybean oil biodiesel fuel blend stock for*
8 *distillate fuels meeting ASTM specification D6751; and*

9 2. *Ninety-five percent diesel fuel that is made from petroleum*
10 *products meeting ASTM specification D975.*

11 **Sec. 3.** *"Ethanol diesel" means a fuel that is made from a blend of*
12 *B20 Biodiesel means a finished diesel fuel consisting of:*

13 1. *Diesel fuel, Twenty percent biodiesel fuel blend stock for*
14 *distillate fuels meeting ASTM specification D6751; and*

15 2. *Ethanol, and Eighty percent diesel fuel meeting ASTM*
16 *specification D975.*

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PROPOSED AMENDMENT TO AB237

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 3/26/03 ROOM: 3161 EXHIBIT D 14
SUBMITTED BY: Jason Geddes

1 ~~3. An additive or emulsifier that allows the diesel fuel and ethanol~~
2 ~~to mix.~~

3
4 **Sec. 4. "Ultra low-sulfur diesel fuel" means diesel fuel having a**
5 **maximum sulfur content of 15 parts per million by weight.**

6 **Sec. 5. NRS 486A.010 is hereby amended to read as follows:**

7 486A.010 The Legislature finds that:

8 1. Protection of the State's environment, particularly the quality of its
9 air, requires a reduction, especially in metropolitan areas, of the
10 contaminants resulting from the combustion of conventional fuels in motor
11 vehicles.

12 2. A very large proportion of these contaminants results from the
13 burning of liquid and gaseous fuels to operate trucks and buses, many of
14 which are operated in fleets. Each fuel can be evaluated as to the air
15 pollution it causes when burned in motor vehicles.

16 3. Conversion of these fleets to use cleaner-burning alternative fuels
17 can reduce contaminants sufficiently to permit the continued use of
18 conventional fuels in individually owned motor vehicles. ~~{, but such~~
19 ~~conversion is feasible only if sufficient financial assistance is provided to~~
20 ~~the owners of fleets.}~~

21 **Sec. 6. NRS 486A.020 is hereby amended to read as follows:**

22 486A.020 As used in NRS 486A.010 to 486A.180, inclusive, *and*
23 *sections 2, 3 and 4 of this act*, unless the context otherwise requires, the
24 words and terms defined in NRS 486A.030 to 486A.130, inclusive, *and*
25 *sections 2, 3 and 4 of this act* have the meanings ascribed to them in those
26 sections.

27 **Sec. 7. NRS 486A.030 is hereby amended to read as follows:**

28 486A.030 "Alternative fuel" means any fuel which complies with the
29 standards and requirements established by the Commission. The term
30 includes :

- 31 1. *Ultra* low-sulfur diesel fuel ~~{and reformulated}~~ ;
- 32 2. *Reformulated* gasoline ;
- 33 3. *Diesel fuel that meets the requirements imposed by the California*
34 *Air Resources Board; and*
- 35 4. *B5 biodiesel to B20 biodiesel, inclusive; and*
36 ~~5. *Ethanol diesel,*~~

37 which comply with the regulations adopted by the United States
38 Environmental Protection Agency pursuant to the standards for the control
39 of emissions from motor vehicles established in the Clean Air Act
40 Amendments of 1990 ~~{(Pub. L. No. 101-549, Nov. 15, 1990).}~~ , *Public*
41 *Law 101-549, November 15, 1990.*

42 **Sec. 8. NRS 486A.030 is hereby amended to read as follows:**

43 486A.030 "Alternative fuel" means any fuel which complies with the
44 standards and requirements established by the Commission. The term
45 includes:

1 1. ~~[Ultra low sulfur diesel fuel;~~
2 ~~2.] Reformulated gasoline;~~
3 ~~3.] Diesel fuel that meets the requirements imposed by the California~~
4 ~~Air Resources Board; and~~
5 ~~4.] 2. B5 biodiesel to B20 biodiesel, inclusive; and~~
6 ~~5.] 3. Ethanol diesel,~~
7 which comply with the regulations adopted by the United States
8 Environmental Protection Agency pursuant to the standards for the control
9 of emissions from motor vehicles established in the Clean Air Act
10 Amendments of 1990, Public Law 101-549, November 15, 1990.

11 Sec. 9. NRS 486A.060 is hereby amended to read as follows:

12 486A.060 "Dedicated alternative fuel motor vehicle" means a motor
13 vehicle that ~~operates~~ :

14 1. Operates only on an alternative fuel ~~[]~~ ; or

15 2. Regardless of the type of fuel on which it operates, emits has been
16 certified by the U.S. Environmental Protection Agency to comply with
17 the standards for the control of emissions from an ultra low-emission
18 vehicle, or more stringent, as set forth in 40 CFR 88.104-94 or 88.105-
19 94*

20 ~~(a) Fewer than 0.04 grams per mile of nonmethane organics~~

21 ~~(b) Fewer than 1.7 grams per mile of carbon monoxide~~

22 ~~(c) Fewer than 0.05 grams per mile of nitrogen oxides.~~

23 Sec. 10. NRS 486A.150 is hereby amended to read as follows:

24 486A.150 The Commission shall adopt regulations necessary to carry
25 out the provisions of NRS 486A.010 to 486A.180, inclusive, **and sections**
26 **2, 3 and 4 of this act**, including, but not limited to, regulations concerning:

27 1. Standards and requirements for alternative fuel. The Commission
28 shall not discriminate against any product that is petroleum based.

29 2. The conversion of fleets to use alternative fuels if the fleet is
30 operated in a county whose population is 100,000 or more.

31 3. Standards for alternative fuel injection systems for diesel motor
32 vehicles.

33 4. Standards for levels of emissions from motor vehicles that are
34 converted to use alternative fuels.

35 5. The establishment of a procedure for approving exemptions to the
36 requirements of NRS 486A.010 to 486A.180, inclusive ~~[]~~ , **and sections 2,**
37 **3 and 4 of this act.**

38 6. **Standards related to the use of dedicated alternative fuel motor**
39 **vehicles.**

40 Sec. 11. NRS 486A.180 is hereby amended to read as follows:

41 486A.180 1. Except as otherwise provided in subsection 4, any
42 person who violates any provision of NRS 486A.010 to 486A.180,
43 inclusive, **and sections 2, 3 and 4 of this act**, or any regulation adopted
44 pursuant thereto, is guilty of a civil offense and shall pay an administrative

1 fine levied by the Commission of not more than \$5,000. Each day of
2 violation constitutes a separate offense.

3 2. The Commission shall by regulation establish a schedule of
4 administrative fines of not more than \$1,000 for lesser violations of any
5 provision of NRS 486A.010 to 486A.180, inclusive, *and sections 2, 3 and*
6 *4 of this act* or any regulation in force pursuant thereto.

7 3. Action pursuant to subsection 1 or 2 is not a bar to enforcement of
8 the provisions of NRS 486A.010 to 486A.180, inclusive, *and sections 2, 3*
9 *and 4 of this act* and regulations in force pursuant thereto, by injunction or
10 other appropriate remedy. The Commission or the Director of the
11 Department may institute and maintain in the name of the State of Nevada
12 any such enforcement proceeding.

13 4. A person who fails to pay a fine levied pursuant to subsection 1 or
14 2 within 30 days after the fine is imposed is guilty of a misdemeanor. The
15 provisions of this subsection do not apply to a person found by the court to
16 be indigent.

17 5. The Commission and the Department shall deposit all money
18 collected pursuant to this section in the State General Fund. Money
19 deposited in the State General Fund pursuant to this subsection must be
20 accounted for separately and may only be expended upon legislative
21 appropriation.

22 **Sec. 12.** As soon as practicable after July 1, 2003, the State
23 Environmental Commission shall review its regulations set forth in chapter
24 486A of NAC and shall, pursuant to its authority to adopt regulations set
25 forth in NRS 445B.210 and 486A.150:

26 1. Revise the definition of "alternative fuel" in a manner consistent
27 with the provisions of this act; and

28 2. Revise its schedule for the conversion of fleets to use alternative
29 fuels, if the Commission determines that the revision is necessary as a
30 result of the provisions of this act.

31 **Sec. 13.** 1. This section and sections 1 to 7, inclusive, and 9 to 12,
32 inclusive, of this act become effective on July 1, 2003.

33 2. Sections 4 and 7 of this act expire by limitation on December 31,
34 2006.

35 3. Section 8 of this act becomes effective on January 1, 2007.

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