
ASSEMBLY BILL NO. 416—ASSEMBLYMEN ANGLE, GUSTAVSON,
KNECHT, ANDONOV, BROWN, CHRISTENSEN, GOICOECHEA,
HARDY AND SHERER

MARCH 17, 2003

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions governing emissions testing for
certain motor vehicles. (BDR 40-863)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 vehicle emissions; providing for the biennial
inspection and testing of emissions of certain motor
vehicles; requiring the State Environmental Commission
to provide a waiver from emissions testing for certain
motor vehicles; and providing other matters properly
relating thereto.

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

- 1 **Section 1.** NRS 445B.770 is hereby amended to read as
2 follows:
3 445B.770 1. In any county whose population is 100,000 or
4 more, the Commission shall, in cooperation with the Department of
5 Motor Vehicles and any local air pollution control agency, adopt
6 regulations for the control of emissions from motor vehicles in areas
7 of the county designated by the Commission.
8 2. In any county whose population is less than 100,000, if the
9 Commission determines that it is feasible and practicable to carry
10 out a program of inspecting and testing motor vehicles and systems
11 for the control of emissions from motor vehicles, and if carrying out
12 the program is deemed necessary to achieve or maintain the
13 prescribed standards for the quality of ambient air in areas of the



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1 State designated by the Commission, the Commission shall, in
2 cooperation with the Department of Motor Vehicles and any local
3 air pollution control agency established under NRS 445B.500 which
4 has jurisdiction in a designated area, adopt regulations and
5 transportation controls as may be necessary to carry out the
6 program.

7 **3. *The regulations must require that motor vehicles be***
8 ***inspected no more frequently than every 2 years for compliance***
9 ***with standards for the control of emissions.***

10 **4.** The regulations must distinguish between light-duty and
11 heavy-duty motor vehicles and may prescribe:

12 (a) Appropriate criteria and procedures for the approval,
13 installation and use of devices for the control of emissions from
14 motor vehicles; and

15 (b) Requirements for the proper maintenance of such devices
16 and motor vehicles.

17 ~~4.~~ **5.** The regulations must establish:

18 (a) Requirements by which the Department of Motor Vehicles
19 shall license authorized stations to inspect, repair, adjust and install
20 devices for the control of emissions for motor vehicles, including
21 criteria by which any person may become qualified to inspect,
22 repair, adjust and install those devices.

23 (b) Requirements by which the Department of Motor Vehicles
24 may license an owner or lessee of a fleet of three or more vehicles
25 as a fleet station if the owner or lessee complies with the regulations
26 of the Commission. The fleet station shall only certify vehicles
27 which constitute that fleet.

28 (c) Requirements by which the Department of Motor Vehicles
29 provides for inspections of motor vehicles owned by this state and
30 any of its political subdivisions.

31 ~~5.~~ **6.** The Commission shall consider, before adopting any
32 regulation or establishing any criteria pursuant to paragraph (a) of
33 subsection ~~3.~~ **4:**

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

36 (b) The effectiveness of those devices for reducing the emission
37 of each type of air pollutant under conditions in this state.

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

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



1 (e) The reasonableness of the retail cost of the device and the
2 cost of its installation and maintenance over the life of the device
3 and the motor vehicle.

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

6 **Sec. 2.** NRS 445B.795 is hereby amended to read as follows:

7 445B.795 **1.** The authority set forth in NRS 445B.770
8 providing for a compulsory inspection program is limited as
9 follows:

10 ~~{1. In}~~

11 *(a) Except as otherwise provided in subsection 2, in* a county
12 whose population is 100,000 or more, all passenger cars and light-
13 duty motor vehicles which use diesel fuel and require inspection
14 pursuant to the regulations adopted by the Commission under NRS
15 445B.770 are required to have evidence of compliance upon
16 registration or reregistration.

17 ~~{2. In}~~

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

25 ~~{3. In}~~

26 *(c) Except as otherwise provided in subsection 2, in* designated
27 areas in other counties where the Commission puts a program into
28 effect, all used motor vehicles which require inspection pursuant to
29 the regulations adopted by the Commission under NRS 445B.770
30 are required to have evidence of compliance upon registration or
31 reregistration.

32 ~~{4.}~~ *(d)* The board of county commissioners of a county
33 containing a designated area may revise its program for the
34 designated area after receiving the approval of the Commission.

35 **2.** *If, in accordance with subsection 1, evidence of*
36 *compliance is presented upon registration or reregistration of a*
37 *motor vehicle subject to biennial inspections pursuant to*
38 *NRS 445B.770:*

39 *(a) In an even-numbered year, the motor vehicle is not*
40 *required to have evidence of compliance upon reregistration until*
41 *the next following even-numbered year.*

42 *(b) In an odd-numbered year, the motor vehicle is not required*
43 *to have evidence of compliance upon reregistration until the next*
44 *following odd-numbered year.*



1 **Sec. 3.** NRS 445B.825 is hereby amended to read as follows:
2 445B.825 1. ~~The~~ *Except as otherwise provided in this*
3 *section, the* Commission may provide for exemption from the
4 provisions of NRS 445B.770 to 445B.815, inclusive, of designated
5 classes of motor vehicles, including classes based upon the year of
6 manufacture of motor vehicles.
7 2. *The Commission shall provide for exemption from the*
8 *provisions of NRS 445B.770 to 445B.815, inclusive, of motor*
9 *vehicles for which the model year is:*
10 *(a) Three years old or newer; and*
11 *(b) Four years old or older that have less than 36,000 miles*
12 *registered on the odometer.*
13 3. The Commission shall provide for a waiver from the
14 provisions of NRS 445B.770 to 445B.815, inclusive, if compliance
15 involves repair and equipment costs which exceed the limits
16 established by the Commission. The Commission shall establish the
17 limits in a manner which avoids unnecessary financial hardship to
18 motor vehicle owners.

