
SENATE BILL NO. 25—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF CLARK COUNTY)

PREFILED FEBRUARY 3, 2005

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing distribution of money in Pollution Control Account in State General Fund. (BDR 40-326)

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

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to air pollution; revising the provisions governing the distribution of money in the Pollution Control Account in the State General Fund; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Pollution Control Account in the State General Fund.
2 The Department of Motor Vehicles deposits money in the Account collected from
3 fees for licensing and renewing licenses of certain entities that inspect, repair,
4 adjust or install devices for the control of motor vehicle emissions. The Department
5 also deposits money in the Account from fees collected for forms certifying
6 emission control compliance. One-sixth of the amount collected for such forms (\$1
7 per form) must be used to fund grants provided to certain local governmental
8 agencies located in areas with high levels of air pollution. The balance of the
9 money in the Account is expended pursuant to legislative appropriation or
10 authorization. At the end of the fiscal year, any money remaining in the Account in
11 excess of \$500,000 is used to fund additional grants to local governmental
12 agencies. (NRS 445B.830)

13 This bill increases to \$2 the amount of money from fees collected for forms
14 certifying emission control compliance deposited in the Pollution Control Account
15 that is designated for grants to eligible local governmental agencies. In addition,
16 this bill makes local governmental agencies ineligible to receive additional money
17 pursuant to legislative appropriation or authorization from money remaining in the
18 Pollution Control Account after grants have been provided. However, if there is



19 more than \$500,000 remaining in the Account at the end of the fiscal year, such
20 excess money remains available to provide additional grants to eligible local
21 governmental agencies.

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

1 **Section 1.** NRS 445B.830 is hereby amended to read as
2 follows:

3 445B.830 1. In areas of the State where and when a program
4 is commenced pursuant to NRS 445B.770 to 445B.815, inclusive,
5 the following fees must be paid to the Department of Motor
6 Vehicles and accounted for in the Pollution Control Account, which
7 is hereby created in the State General Fund:

8 (a) For the issuance and annual renewal of a license for an
9 authorized inspection station, authorized maintenance station,
10 authorized station or fleet station..... \$25

11 (b) For each set of 25 forms certifying emission control
12 compliance..... 150

13 (c) For each form issued to a fleet station 6

14 2. Except as otherwise provided in subsections 4, 5 and 6, and
15 after deduction of the amount required for grants pursuant to
16 paragraph (a) of subsection 4, money in the Pollution Control
17 Account may, pursuant to legislative appropriation or with the
18 approval of the Interim Finance Committee, be expended by the
19 following agencies in the following order of priority:

20 (a) The Department of Motor Vehicles to carry out the
21 provisions of NRS 445B.770 to 445B.845, inclusive.

22 (b) The State Department of Conservation and Natural
23 Resources to carry out the provisions of this chapter.

24 (c) The State Department of Agriculture to carry out the
25 provisions of NRS 590.010 to 590.150, inclusive.

26 (d) ~~[Local governmental agencies in nonattainment or~~
27 ~~maintenance areas for an air pollutant for which air quality criteria~~
28 ~~have been issued pursuant to 42 U.S.C. § 7408, for programs related~~
29 ~~to the improvement of the quality of the air.~~

30 ~~(e)~~ The Tahoe Regional Planning Agency to carry out the
31 provisions of NRS 277.200 with respect to the preservation and
32 improvement of air quality in the Lake Tahoe Basin.

33 3. The Department of Motor Vehicles may prescribe by
34 regulation routine fees for inspection at the prevailing shop labor
35 rate, including, without limitation, maximum charges for those fees,
36 and for the posting of those fees in a conspicuous place at an
37 authorized inspection station or authorized station.



1 4. The Department of Motor Vehicles shall by regulation
2 establish a program to award grants of money in the Pollution
3 Control Account to local governmental agencies in nonattainment or
4 maintenance areas for an air pollutant for which air quality criteria
5 have been issued pursuant to 42 U.S.C. § 7408, for programs related
6 to the improvement of the quality of air. The grants to agencies in a
7 county pursuant to this subsection must be made from:

8 (a) An amount of money in the Pollution Control Account that is
9 equal to ~~one-sixth of the amount received~~ \$2 for each form issued
10 in the county pursuant to subsection 1; and

11 (b) Excess money in the Pollution Control Account. As used in
12 this paragraph, "excess money" means the money in excess of
13 \$500,000 remaining in the Pollution Control Account at the end of
14 the fiscal year, after deduction of the amount required for grants
15 pursuant to paragraph (a) and any disbursements made from the
16 Account pursuant to subsection 2.

17 5. Any regulations adopted pursuant to subsection 4 must
18 provide for the creation of an advisory committee consisting of
19 representatives of state and local agencies involved in the control of
20 emissions from motor vehicles. The committee shall:

21 (a) Review applications for grants and make recommendations
22 for their approval, rejection or modification;

23 (b) Establish goals and objectives for the program for control of
24 emissions from motor vehicles;

25 (c) Identify areas where funding should be made available; and

26 (d) Review and make recommendations concerning regulations
27 adopted pursuant to subsection 4 or NRS 445B.770.

28 6. Grants proposed pursuant to subsections 4 and 5 must be
29 submitted to the appropriate Deputy Director of the Department of
30 Motor Vehicles and the Administrator of the Division of
31 Environmental Protection of the State Department of Conservation
32 and Natural Resources. Proposed grants approved by the appropriate
33 Deputy Director and the Administrator must not be awarded until
34 approved by the Interim Finance Committee.

35 **Sec. 2.** This act becomes effective on July 1, 2005.



