
ASSEMBLY BILL NO. 349—ASSEMBLYMAN WATTS

MARCH 22, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing motor vehicles.
(BDR 43-58)

FISCAL NOTE: Effect on Local Government: No.
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 that govern an owner of an Old Timer vehicle, street rod, classic rod or classic car, including providing that such vehicles are exempt from the provisions governing the control of emissions from engines as long as they are not used for general transportation and further providing that such vehicles which are used for general transportation shall not receive special license plates and instead must comply with the provisions governing the control of emissions from engines; requiring the owner of an Old Timer vehicle, street rod, classic rod or classic car to pay a certain fee annually instead of only once; authorizing approved inspectors to work at any authorized inspection station, authorized station or any class of fleet station or multiple locations of such stations; authorizing the Department of Motor Vehicles to establish a remote sensing system to test the emissions from motor vehicles operating in certain counties; exempting a new motor vehicle from emissions testing for the first 4 years of the life of the motor vehicle and then requiring that emissions testing be conducted on new motor vehicles annually after the fifth registration of the motor vehicle; prohibiting the State Environmental Commission from issuing certain waivers to the owner of a motor vehicle who performs repairs on the motor vehicle; increasing certain fees relating to emissions testing stations and forms certifying emission control compliance; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law authorizes special license plates and registration certificates to be
2 issued to residents of Nevada for antique motor vehicles that qualify as Old Timer
3 vehicles, street rods, classic rods or classic vehicles. (NRS 482.381, 482.3812,
4 482.3814, 482.3816) Existing law provides that such vehicles are exempt from
5 certain regulations governing exhaust emissions, fuel evaporative emissions and
6 visible emissions of smoke from certain engines if the owner of the vehicle certifies
7 to the Department of Motor Vehicles that the vehicle was not driven more than
8 5,000 miles during the immediately preceding year. (NRS 445B.760) **Sections 1-4**
9 of this bill provide that such motor vehicles must not be used for general
10 transportation, defined as being driven more than 5,000 miles during the
11 immediately preceding year, but may be used for club activities, exhibitions, tours,
12 parades or similar activities and for such other uses as are necessary for the
13 operation and maintenance of the vehicle. **Sections 1-4** provide that such motor
14 vehicles not used for general transportation are exempt from the provisions
15 governing the control of emissions from engines and that, if the owner of such a
16 motor vehicle elects to use the motor vehicle for general transportation, he or she:
17 (1) shall not be issued special license plates or a registration certificate; and (2)
18 must comply with the provisions governing the control of emissions from engines.
19 Existing law requires that such vehicles being used for general transportation and
20 required to comply with the provisions governing the control of emissions from
21 engines which fail the emissions test shall not be issued the special license plates
22 for a period of 90 days after failing the emissions test. (NRS 482.2655) **Section 11**
23 of this bill repeals this provision, which is replaced by the changes made in
24 **sections 1-4.**

25 Existing law requires that the owner of an Old Timer vehicle, street rod, classic
26 rod or classic vehicle which is exempt from the provisions governing the control of
27 emissions from engines pay a one-time fee to the Department, to be accounted for
28 in the Pollution Control Account, in an amount equal to the cost for a certificate of
29 compliance with emissions standards. (NRS 482.381, 482.3812, 482.3814,
30 482.3816) **Sections 1-4** require this fee to be paid annually.

31 **Sections 1-4** require for the issuance of special license plates and a registration
32 certificate for an Old Timer vehicle, street rod, classic rod or classic vehicle that the
33 motor vehicle must have proof satisfactory to the Department that the vehicle is
34 covered by insurance that: (1) is designed or designated specifically for classic or
35 antique vehicles; or (2) includes an endorsement that is designed or designated
36 specifically for classic or antique vehicles.

37 Existing law provides that an approved inspector is a person who is licensed by
38 the Department to inspect motor vehicles and devices for the control of pollution
39 for an authorized station or authorized inspection station. (NRS 445B.705) Existing
40 law provides that: (1) an authorized inspection station is a station that is licensed to
41 inspect vehicles and devices for emissions; and (2) an authorized station is a station
42 that is licensed to inspect vehicles and devices for emissions and is also licensed to
43 install, repair and adjust such devices. (NRS 445B.710, 445B.720) Existing
44 regulations provide that for an authorized inspection station or a class 1 fleet station
45 which only tests exhaust emissions to be licensed, the station must employ at least
46 one: (1) class 1 approved inspector who is licensed only to test exhaust emissions;
47 or (2) class 2 approved inspector who is licensed to test exhaust emissions and to
48 diagnose, repair and service devices for the control of exhaust emissions. (NAC
49 445B.4096-445B.4098, 445B.462) Existing regulations provide that for an
50 authorized station or a class 2 fleet station which tests exhaust emissions and
51 diagnoses, repairs and services devices for the control of exhaust emissions to be
52 licensed, the station must employ at least one approved inspector who is licensed to
53 test exhaust emissions and to diagnose, repair and service devices for the control
54 of exhaust emissions. (NAC 445B.4096, 445B.4098, 445B.4099, 445B.462)



55 **Sections 6 and 7** of this bill require the regulations adopted by the State
56 Environmental Commission and the Department for the licensing of such stations to
57 authorize any approved inspector who is licensed: (1) only to test exhaust emissions
58 to work at any authorized inspection station, any authorized station or any class of
59 fleet station or multiple locations of such stations, provided that the approved
60 inspector only tests exhaust emissions; and (2) to test exhaust emissions and to
61 diagnose, repair and service devices for the control of exhaust emissions to work at
62 any authorized inspection station, any authorized station or any class of fleet station
63 or multiple locations of such stations.

64 Existing law authorizes the Department, in a county whose population is
65 100,000 or more (currently Clark and Washoe Counties), to conduct a test of the
66 emissions from a motor vehicle which is being operated on a highway in that
67 county to determine whether the vehicle complies with the emissions standards.
68 (NRS 445B.798) **Section 8** of this bill authorizes the Department, in a county
69 whose population is 100,000 or more, to establish a remote sensing system to test
70 the emissions from a motor vehicle which is being operated on a highway in that
71 county to determine whether the vehicle complies with the emissions standards. If
72 the Department establishes such a remote sensing system, **section 8** requires the
73 Department to adopt regulations: (1) to carry out the remote sensing system; (2)
74 that provide how a person may register to participate in the remote sensing system,
75 including requiring the person to pay a fee; and (3) that allow for the collection of
76 data from the remote sensing system for use by the Department and other agencies
77 of this State.

78 Existing law requires the State Environmental Commission, in cooperation with
79 the Department and any local air pollution control agency, to adopt regulations for
80 the control of emissions from motor vehicles in areas designated by the
81 Commission that are in any county whose population is 100,000 or more (currently
82 Clark and Washoe Counties). (NRS 445B.770) Existing law also authorizes the
83 Commission to exempt designated classes of motor vehicles, including classes
84 based upon the year of manufacture of motor vehicles, from having to comply with
85 the emissions standards. (NRS 445B.825) Existing regulations exempt new motor
86 vehicles from compliance with emissions standards until the third registration of the
87 vehicle, which is the first 2 years of the life of the motor vehicle. (NAC 445B.592)
88 **Section 9** of this bill exempts new motor vehicles from the test of emissions
89 conducted by the Department until the fifth registration of the vehicle, which is the
90 first 4 years of the life of the motor vehicle, and requires the Department to conduct
91 the test annually after the fifth registration of the motor vehicle. Finally, **section 9**
92 makes a technical change to reference a federal regulation relating to the exemption
93 afforded to hybrid electric vehicles. **Sections 5 and 8** of this bill make conforming
94 changes.

95 Existing law requires the Commission to: (1) provide for a waiver from having
96 to comply with the provisions governing the control of emissions from engines if
97 compliance involves repair and equipment costs which exceed the limits set by the
98 Commission; and (2) establish such limits in a manner which avoids unnecessary
99 financial hardship to motor vehicle owners. (NRS 445B.825) **Section 9** prohibits
100 the Commission from providing a waiver if the vehicle is repaired by the owner of
101 the vehicle in any situation and clarifies that such repairs include: (1) the owner
102 purchasing parts for the repair of the vehicle; (2) the owner buying equipment for
103 the repair of the vehicle; and (3) the owner performing labor for the repair of the
104 vehicle.

105 Existing law requires certain fees to be paid to the Department and accounted
106 for in the Pollution Control Account where a program governing the control of
107 emissions from engines is commenced. (NRS 445B.830) **Section 10** of this bill
108 increases: (1) from \$25 to \$150 the fee for the issuance and annual renewal of a
109 license for an authorized inspection station, authorized station or fleet station;



110 (2) from \$150 to \$250 the fee for each set of 25 forms certifying emission control
111 compliance; and (3) from \$6 to \$10 the fee for each form issued to a fleet station.

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

1 **Section 1.** NRS 482.381 is hereby amended to read as follows:

2 482.381 1. Except as otherwise provided in ~~NRS 482.2655,~~
3 *subsection 4*, the Department may issue special license plates and
4 registration certificates to residents of Nevada for any motor vehicle
5 which ~~is~~:

6 (a) *Is a model manufactured more than 40 years before the date*
7 *of application for registration pursuant to this section* ~~is~~; *and*

8 (b) *Has proof satisfactory to the Department that the vehicle is*
9 *covered by insurance that meets the requirements of NRS 485.185*
10 *and that:*

11 (1) *Is designed or designated specifically for a classic or*
12 *antique vehicle; or*

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

15 2. *Except as otherwise provided in subsection 4, any vehicle*
16 *issued special license plates and a registration certificate pursuant*
17 *to subsection 1 shall not be used for general transportation but*
18 *may be used for:*

19 (a) *Club activities, exhibitions, tours, parades or similar*
20 *activities; and*

21 (b) *Such other uses that are necessary for the operation and*
22 *maintenance of the vehicle.*

23 3. *A vehicle that complies with subsection 2 is exempt from*
24 *the provisions of NRS 445B.770 to 445B.815, inclusive.*

25 4. *If the owner of the vehicle elects to use the vehicle for*
26 *general transportation, he or she:*

27 (a) *Shall not be issued special license plates and a registration*
28 *certificate pursuant to subsection 1; and*

29 (b) *Shall comply with the provisions of NRS 445B.770 to*
30 *445B.815, inclusive.*

31 5. License plates issued pursuant to this section must bear the
32 inscription "Old Timer," and the plates must be numbered
33 consecutively.

34 ~~3.~~ 6. The Nevada Old Timer Club members shall bear the
35 cost of the dies for carrying out the provisions of this section.

36 ~~4.~~ 7. The Department shall charge and collect the following
37 fees for the issuance of these license plates, which fees are in
38 addition to all other license fees and applicable taxes:

39 (a) For the first issuance \$35



1 (b) For a renewal sticker \$10

2 ~~[5.]~~ 8. In addition to the fees required pursuant to subsection
3 ~~[4.]~~ 7, the Department shall charge and collect ~~[a]~~ **an annual** fee
4 ~~[for the first issuance of the license plates]~~ for those motor vehicles
5 exempted pursuant to ~~[paragraph (b) of subsection 1 of NRS~~
6 ~~445B.760]~~ **subsection 3** from the provisions of NRS 445B.770 to
7 445B.815, inclusive. The amount of the fee must be equal to the
8 amount of the fee for a form certifying emission control compliance
9 set forth in paragraph (c) of subsection 1 of NRS 445B.830.

10 ~~[6.]~~ 9. Fees paid to the Department pursuant to subsection ~~[5]~~
11 **8** must be accounted for in the Pollution Control Account created by
12 NRS 445B.830 and distributed in accordance with subsection 6 of
13 NRS 445B.830.

14 **10. As used in this section, "general transportation" means a**
15 **vehicle that is driven more than 5,000 miles during the**
16 **immediately preceding year.**

17 **Sec. 2.** NRS 482.3812 is hereby amended to read as follows:
18 482.3812 1. Except as otherwise provided in ~~[NRS~~
19 ~~482.2655.]~~ **subsection 4**, the Department may issue special license
20 plates and registration certificates to residents of Nevada for any
21 passenger car or light commercial vehicle:

22 (a) Having a manufacturer's rated carrying capacity of 1 ton or
23 less; ~~[and]~~

24 (b) Manufactured not later than 1948 ~~[.]~~; **and**

25 (c) **Having proof satisfactory to the Department that the**
26 **vehicle is covered by insurance that meets the requirements of**
27 **NRS 485.185 and that:**

28 (1) **Is designed or designated specifically for a classic or**
29 **antique vehicle; or**

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

32 2. **Except as otherwise provided in subsection 4, any vehicle**
33 **issued special license plates and a registration certificate pursuant**
34 **to subsection 1 shall not be used for general transportation but**
35 **may be used for:**

36 (a) **Club activities, exhibitions, tours, parades or similar**
37 **activities; and**

38 (b) **Such other uses that are necessary for the operation and**
39 **maintenance of the vehicle.**

40 3. **A vehicle that complies with subsection 2 is exempt from**
41 **the provisions of NRS 445B.770 to 445B.815, inclusive.**

42 4. **If the owner of the vehicle elects to use the vehicle as**
43 **general transportation, he or she:**

44 (a) **Shall not be issued special license plates and a registration**
45 **certificate pursuant to subsection 1; and**



1 *(b) Shall comply with the provisions of NRS 445B.770 to*
2 *445B.815, inclusive.*

3 5. License plates issued pursuant to this section must be
4 inscribed with the words "STREET ROD" and a number of
5 characters, including numbers and letters, as determined necessary
6 by the Director.

7 ~~[3.]~~ 6. If, during a registration period, the holder of special
8 plates issued pursuant to this section disposes of the vehicle to
9 which the plates are affixed, the holder shall retain the plates and:

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

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

15 ~~[4.]~~ 7. The fee for the special license plates is \$35, in addition
16 to all other applicable registration and license fees and governmental
17 services taxes. The fee for an annual renewal sticker is \$10.

18 ~~[5.]~~ 8. In addition to the fees required pursuant to subsection
19 ~~[4.] 7,~~ the Department shall charge and collect ~~[a]~~ *an annual* fee
20 ~~[for the first issuance of the special license plates]~~ for those motor
21 vehicles exempted pursuant to ~~[paragraph (b) of subsection 1 of~~
22 ~~NRS 445B.760]~~ *subsection 3* from the provisions of NRS 445B.770
23 to 445B.815, inclusive. The amount of the fee must be equal to the
24 amount of the fee for a form certifying emission control compliance
25 set forth in paragraph (c) of subsection 1 of NRS 445B.830.

26 ~~[6.]~~ 9. Fees paid to the Department pursuant to subsection ~~[5]~~
27 *8* must be accounted for in the Pollution Control Account created by
28 NRS 445B.830 and distributed in accordance with subsection 6 of
29 NRS 445B.830.

30 *10. As used in this section, "general transportation" means a*
31 *vehicle that is driven more than 5,000 miles during the*
32 *immediately preceding year.*

33 **Sec. 3.** NRS 482.3814 is hereby amended to read as follows:

34 482.3814 1. Except as otherwise provided in ~~[NRS~~
35 ~~482.2655.]~~ *subsection 4,* the Department may issue special license
36 plates and registration certificates to residents of Nevada for any
37 passenger car or light commercial vehicle:

38 (a) Having a manufacturer's rated carrying capacity of 1 ton or
39 less; ~~[and]~~

40 (b) Manufactured not earlier than 1949, but at least 20 years
41 before the application is submitted to the Department ~~[]~~; *and*

42 (c) *Having proof satisfactory to the Department that the*
43 *vehicle is covered by insurance that meets the requirements of*
44 *NRS 485.185 and that:*



1 (1) *Is designed or designated specifically for a classic or*
2 *antique vehicle; or*

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

5 2. *Except as otherwise provided in subsection 4, any vehicle*
6 *issued special license plates and a registration certificate pursuant*
7 *to subsection 1 shall not be used for general transportation but*
8 *may be used for:*

9 (a) *Club activities, exhibitions, tours, parades or similar*
10 *activities; and*

11 (b) *Such other uses that are necessary for the operation and*
12 *maintenance of the vehicle.*

13 3. *A vehicle that complies with subsection 2 is exempt from*
14 *the provisions of NRS 445B.770 to 445B.815, inclusive.*

15 4. *If the owner of the vehicle elects to use the vehicle as*
16 *general transportation, he or she:*

17 (a) *Shall not be issued special license plates and a registration*
18 *certificate pursuant to subsection 1; and*

19 (b) *Shall comply with the provisions of NRS 445B.770 to*
20 *445B.815, inclusive.*

21 5. *Except as otherwise provided in subsection ~~3.1~~ 6, license*
22 *plates issued pursuant to this section must be inscribed with the*
23 *words "CLASSIC ROD" and a number of characters, including*
24 *numbers and letters, as determined necessary by the Director.*

25 ~~3.1~~ 6. *A person may request personalized prestige license*
26 *plates issued pursuant to NRS 482.3667 instead of a special license*
27 *plate issued pursuant to subsection ~~2.1~~ 5 if that person pays the fees*
28 *for the personalized prestige license plates in addition to the fees*
29 *required pursuant to this section.*

30 ~~4.1~~ 7. *If, during a registration year, the holder of special plates*
31 *issued pursuant to subsection ~~2.1~~ 5 or ~~3.1~~ 6 disposes of the vehicle to*
32 *which the plates are affixed, the holder shall retain the plates and:*

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

36 (b) *Within 30 days after removing the plates from the vehicle,*
37 *return them to the Department.*

38 ~~5.1~~ 8. *The fee for the special license plates is \$35, in addition*
39 *to all other applicable registration and license fees and governmental*
40 *services taxes. The fee for an annual renewal sticker is \$10.*

41 ~~6.1~~ 9. *In addition to the fees required pursuant to subsection*
42 *~~5.1~~ 8, the Department shall charge and collect ~~an~~ an annual fee*
43 *~~for the first issuance of the special license plates~~ for those motor*
44 *vehicles exempted pursuant to ~~paragraph (b) of subsection 1 of~~*
45 *NRS 445B.760) subsection 3 from the provisions of NRS 445B.770*



1 to 445B.815, inclusive. The amount of the fee must be equal to the
2 amount of the fee for a form certifying emission control compliance
3 set forth in paragraph (c) of subsection 1 of NRS 445B.830.

4 ~~[7.] 10.~~ Fees paid to the Department pursuant to subsection ~~[6]~~
5 **9** must be accounted for in the Pollution Control Account created by
6 NRS 445B.830 and distributed in accordance with subsection 6 of
7 NRS 445B.830.

8 ***11. As used in this section, "general transportation" means a***
9 ***vehicle that is driven more than 5,000 miles during the***
10 ***immediately preceding year.***

11 **Sec. 4.** NRS 482.3816 is hereby amended to read as follows:

12 482.3816 1. Except as otherwise provided in ~~[NRS~~
13 ~~482.2655.]~~ ***subsection 4***, the Department may issue special license
14 plates and registration certificates to residents of Nevada for any
15 passenger car or light commercial vehicle:

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

18 (b) Manufactured at least 25 years before the application is
19 submitted to the Department; ~~[and]~~

20 (c) Containing only the original parts which were used to
21 manufacture the vehicle or replacement parts that duplicate those
22 original parts ~~[]~~; ***and***

23 ***(d) Having proof satisfactory to the Department that the***
24 ***vehicle is covered by insurance that meets the requirements of***
25 ***NRS 485.185 and that:***

26 ***(1) Is designed or designated specifically for a classic or***
27 ***antique vehicle; or***

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

30 2. ***Except as otherwise provided in subsection 4, any vehicle***
31 ***issued special license plates and a registration certificate pursuant***
32 ***to subsection 1 shall not be used for general transportation but***
33 ***may be used for:***

34 ***(a) Club activities, exhibitions, tours, parades or similar***
35 ***activities; and***

36 ***(b) Such other uses that are necessary for the operation and***
37 ***maintenance of the vehicle.***

38 3. ***A vehicle that complies with subsection 2 is exempt from***
39 ***the provisions of NRS 445B.770 to 445B.815, inclusive.***

40 4. ***If the owner of the vehicle elects to use the vehicle as***
41 ***general transportation, he or she:***

42 ***(a) Shall not be issued special license plates and a registration***
43 ***certificate pursuant to subsection 1; and***

44 ***(b) Shall comply with the provisions of NRS 445B.770 to***
45 ***445B.815, inclusive.***



1 5. Except as otherwise provided in subsection ~~3.~~ 6, license
2 plates issued pursuant to this section must be inscribed with the
3 words "CLASSIC VEHICLE" and a number of characters,
4 including numbers and letters, as determined necessary by the
5 Director.

6 ~~3.~~ 6. A person may request personalized prestige license
7 plates issued pursuant to NRS 482.3667 instead of a special license
8 plate issued pursuant to subsection ~~2.~~ 5 if that person pays the fees
9 for the personalized prestige license plates in addition to the fees
10 required pursuant to this section.

11 ~~4.~~ 7. If, during a registration period, the holder of special
12 plates issued pursuant to subsection ~~2.~~ 5 or ~~3.~~ 6 disposes of the
13 vehicle to which the plates are affixed, the holder shall retain the
14 plates and:

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

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

20 ~~5.~~ 8. The fee for the special license plates is \$35, in addition
21 to all other applicable registration and license fees and governmental
22 services taxes. The fee for an annual renewal sticker is \$10.

23 ~~6.~~ 9. In addition to the fees required pursuant to subsection
24 ~~5.~~ 8, the Department shall charge and collect ~~a~~ *an annual* fee
25 ~~[for the first issuance of the special license plates]~~ for those motor
26 vehicles exempted pursuant to ~~[paragraph (b) of subsection 1 of~~
27 ~~NRS 445B.760]~~ *subsection 3* from the provisions of NRS 445B.770
28 to 445B.815, inclusive. The amount of the fee must be equal to the
29 amount of the fee for a form certifying emission control compliance
30 set forth in paragraph (c) of subsection 1 of NRS 445B.830.

31 ~~7.~~ 10. Fees paid to the Department pursuant to subsection ~~6.~~
32 9 must be accounted for in the Pollution Control Account created by
33 NRS 445B.830 and distributed in accordance with subsection 6 of
34 NRS 445B.830.

35 *11. As used in this section, "general transportation" means a*
36 *vehicle that is driven more than 5,000 miles during the*
37 *immediately preceding year.*

38 **Sec. 5.** NRS 482.461 is hereby amended to read as follows:

39 482.461 1. ~~1.~~ *Except as otherwise provided in subsection 3*
40 *of NRS 445B.825, if* the test conducted pursuant to NRS 445B.798
41 indicates that a motor vehicle which is registered in a county whose
42 population is 100,000 or more does not comply with the provisions
43 of NRS 445B.700 to 445B.845, inclusive, and the regulations
44 adopted pursuant thereto, the Department shall mail to the registered
45 owner of the vehicle a notice that the vehicle has failed the test.



1 2. The notice must include:

2 (a) The information set forth in subsection 3;

3 (b) A written statement which contains the results of the test
4 conducted pursuant to NRS 445B.798; and

5 (c) Any other information the Department deems necessary.

6 3. The Department shall rescind and cancel the registration of
7 any motor vehicle which fails the test conducted pursuant to NRS
8 445B.798, unless within 30 days after the notice is mailed by the
9 Department pursuant to subsection 2, the registered owner of the
10 vehicle:

11 (a) Has the vehicle inspected by an authorized station or
12 authorized inspection station to determine whether the vehicle
13 complies with the provisions of NRS 445B.700 to 445B.845,
14 inclusive, and the regulations adopted pursuant thereto; and

15 (b) Provides to the Department evidence of compliance issued
16 by the authorized station or authorized inspection station certifying
17 that the vehicle complies with the provisions of NRS 445B.700 to
18 445B.845, inclusive, and the regulations adopted pursuant thereto.

19 4. The registered owner of the vehicle shall pay the cost of the
20 inspection required pursuant to subsection 3.

21 5. As used in this section:

22 (a) "Authorized inspection station" has the meaning ascribed to
23 it in NRS 445B.710.

24 (b) "Authorized station" has the meaning ascribed to it in
25 NRS 445B.720.

26 **Sec. 6.** NRS 445B.775 is hereby amended to read as follows:

27 445B.775 **1.** The regulations adopted by the Commission
28 pursuant to NRS 445B.770 must establish requirements by which
29 the Department of Motor Vehicles may license:

30 ~~[(1)]~~ **(a)** Authorized inspection stations, including criteria by
31 which any person may become qualified to inspect devices for the
32 control of emissions for motor vehicles. The regulations adopted by
33 the Commission pursuant to NRS 445B.770 must provide that a
34 facility licensed as an authorized inspection station:

35 ~~[(a)]~~ **(1)** Except as otherwise provided in ~~[(paragraph (b))]~~
36 **subparagraph (2)**, may not, unless specifically authorized by the
37 Commission, install, repair, diagnose or adjust any component or
38 system of a motor vehicle that affects exhaust emissions.

39 ~~[(b)]~~ **(2)** May perform the following activities in connection
40 with a motor vehicle:

41 ~~[(1)]~~ **(I)** The changing of oil;

42 ~~[(2)]~~ **(II)** The replacing of an oil filter, air filter, fuel filter,
43 belt or hose; and



1 ~~[(3)]~~ **(III)** The servicing of a fuel injection system using
2 methods approved by the Division of Environmental Protection of
3 the State Department of Conservation and Natural Resources.

4 ~~[(2)]~~ **(b)** Authorized stations, including criteria by which any
5 person may become qualified to inspect, repair, adjust and install
6 devices for the control of emissions for motor vehicles.

7 **2. The regulations adopted by the Commission pursuant to**
8 **NRS 445B.770 must authorize any approved inspector who is**
9 **licensed by the Department of Motor Vehicles:**

10 **(a) Only to test exhaust emissions to work at any authorized**
11 **inspection station, authorized station or any class of fleet station**
12 **or multiple locations of such stations. Such an inspector shall not**
13 **diagnose, repair or service devices for the control exhaust**
14 **emissions at any such station.**

15 **(b) To test exhaust emissions and diagnose, repair and service**
16 **devices for the control of exhaust emissions to work at any**
17 **authorized inspection station, authorized station or any class of**
18 **fleet station or multiple locations of such stations.**

19 **Sec. 7.** NRS 445B.785 is hereby amended to read as follows:

20 445B.785 1. The Department of Motor Vehicles shall, in
21 cooperation with the Commission, adopt regulations which:

22 (a) Prescribe requirements for licensing authorized inspection
23 stations, authorized stations and fleet stations. The regulations
24 adopted pursuant to this paragraph must provide that a facility
25 licensed as an authorized inspection station:

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

30 (2) May perform the following activities in connection with a
31 motor vehicle:

32 (I) The changing of oil;

33 (II) The replacing of an oil filter, air filter, fuel filter, belt
34 or hose; and

35 (III) The servicing of a fuel injection system using
36 methods approved by the Division of Environmental Protection of
37 the State Department of Conservation and Natural Resources.

38 (b) Prescribe the manner in which authorized inspection
39 stations, authorized stations and fleet stations inspect motor vehicles
40 and issue evidence of compliance.

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

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



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

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

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

8 2. The Department of Motor Vehicles shall issue a copy of the
9 regulations to each authorized inspection station, authorized station
10 and fleet station.

11 *3. The regulations adopted by the Department of Motor
12 Vehicles pursuant to this section must authorize any approved
13 inspector who is licensed by the Department of Motor Vehicles:*

14 *(a) Only to test exhaust emissions to work at any authorized
15 inspection station, authorized station or any class of fleet station
16 or multiple locations of such stations. Such an inspector shall not
17 diagnose, repair or service devices for the control exhaust
18 emissions at any such station.*

19 *(b) To test exhaust emissions and diagnose, repair and service
20 devices for the control of exhaust emissions to work at any
21 authorized inspection station, authorized station or any class of
22 fleet station or multiple locations of such stations.*

23 **Sec. 8.** NRS 445B.798 is hereby amended to read as follows:

24 445B.798 ~~HB~~

25 *1. Notwithstanding subsection 3 of NRS 445B.825 and except
26 as otherwise provided in subsection 2, in a county whose
27 population is 100,000 or more, the Department of Motor Vehicles
28 may conduct a test of the emissions from a motor vehicle which is
29 being operated on a highway in that county to determine whether the
30 vehicle complies with the provisions of NRS 445B.700 to
31 445B.845, inclusive, and the regulations adopted pursuant thereto.*

32 *2. As an alternative to the test of the emissions authorized to
33 be conducted pursuant to subsection 1, in a county whose
34 population is 100,000 or more, the Department of Motor Vehicles
35 may establish a remote sensing system to test the emissions from a
36 motor vehicle which is being operated on a highway in that county
37 to determine whether the vehicle complies with the provisions of
38 NRS 445B.700 to 445B.845, inclusive, and the regulations adopted
39 pursuant thereto. If the Department of Motor Vehicles establishes
40 a remote sensing system pursuant to this subsection, the
41 Department of Motor Vehicles shall adopt regulations:*

42 *(a) As necessary for carrying out the remote sensing system,
43 including, without limitation, the implementation and enforcement
44 of the remote sensing system and the control of quality assurance
45 of the remote sensing system;*



1 *(b) That provide the procedure for a person to register to*
2 *participate in the remote sensing system, including, without*
3 *limitation, requiring the person to pay a fee that is equivalent to*
4 *any fee charged by the Department of Motor Vehicles for*
5 *conducting a test of the emissions from a motor vehicle pursuant*
6 *to subsection 1; and*

7 *(c) That allow for the collection of data from the remote*
8 *sensing system. The Department of Motor Vehicles and any other*
9 *agency of this State may use the data collected from the remote*
10 *sensing system, so long as the information of a person who*
11 *participates in the remote sensing system is not disclosed to the*
12 *public.*

13 *3. As used in this section, "remote sensing system" means an*
14 *emissions profiling system that uses remote sensing devices (RSD)*
15 *on a highway in a county whose population is 100,000 or more to*
16 *identify the emissions from a motor vehicle.*

17 **Sec. 9.** NRS 445B.825 is hereby amended to read as follows:

18 445B.825 1. The Commission may provide for exemption
19 from the provisions of NRS 445B.770 to 445B.815, inclusive, of
20 designated classes of motor vehicles, including, without limitation,
21 classes based upon the year of manufacture of motor vehicles.

22 2. A hybrid electric vehicle, as defined in 40 C.F.R. §
23 ~~86.1702-99.~~ **86.1803-01**, is exempt from the provisions of NRS
24 445B.770 to 445B.815, inclusive, until the model year of the vehicle
25 is 6 years old.

26 3. *A new motor vehicle is exempt from the test conducted*
27 *pursuant to NRS 445B.798 and the provisions of NRS 445B.770 to*
28 *445B.815, inclusive, until the fifth registration of the motor*
29 *vehicle. If the Department of Motor Vehicles conducts a test*
30 *pursuant to NRS 445B.798, the Department of Motor Vehicles*
31 *shall conduct the test pursuant to NRS 445B.798 to determine*
32 *whether the motor vehicle complies with the provisions of NRS*
33 *445B.700 to 445B.845, inclusive, and the regulations adopted*
34 *pursuant thereto, annually after the fifth registration of the motor*
35 *vehicle.*

36 4. The Commission shall provide for a waiver from the
37 provisions of NRS 445B.770 to 445B.815, inclusive, if compliance
38 involves repair and equipment costs which exceed the limits
39 established by the Commission. The Commission shall establish the
40 limits in a manner which avoids unnecessary financial hardship to
41 motor vehicle owners. *The Commission shall not provide for a*
42 *waiver from the provisions of NRS 445B.770 to 445B.815,*
43 *inclusive, if:*

44 *(a) Compliance involves repair and equipment costs which*
45 *exceed the limits established by the Commission; and*



1 (b) *The vehicle is repaired by the owner of the vehicle. Such*
2 *repairs by the owner of the vehicle include, without limitation:*

3 (1) *The owner purchasing parts for the repair of the*
4 *vehicle;*

5 (2) *The owner buying equipment for the repair of the*
6 *vehicle; and*

7 (3) *The owner performing labor on the vehicle for the*
8 *repair of the vehicle.*

9 5. *As used in this section, "new motor vehicle" means a*
10 *motor vehicle that has never been registered with the Department*
11 *of Motor Vehicles and has never been registered with the*
12 *appropriate agency or authority of any other state, the District of*
13 *Columbia, any territory or possession of the United States or a*
14 *foreign state, province or country.*

15 **Sec. 10.** NRS 445B.830 is hereby amended to read as follows:

16 445B.830 1. In areas of the State where and when a program
17 is commenced pursuant to NRS 445B.770 to 445B.815, inclusive,
18 the following fees must be paid to the Department of Motor
19 Vehicles and accounted for in the Pollution Control Account, which
20 is hereby created in the State General Fund:

21 (a) For the issuance and annual renewal of a license
22 for an authorized inspection station, authorized station or
23 fleet station.....~~[\$25]~~ **\$150**

24 (b) For each set of 25 forms certifying emission
25 control compliance.....~~[\$50]~~ **250**

26 (c) For each form issued to a fleet station.....~~[\$6]~~ **10**

27 2. Except as otherwise provided in subsection 6, and after
28 deduction of the amounts distributed pursuant to subsection 4,
29 money in the Pollution Control Account may, pursuant to legislative
30 appropriation or with the approval of the Interim Finance
31 Committee, be expended by the following agencies in the following
32 order of priority:

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

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

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

39 (d) Local air pollution control agencies in nonattainment or
40 maintenance areas for an air pollutant for which air quality criteria
41 have been issued pursuant to 42 U.S.C. § 7408, for programs related
42 to the improvement of the quality of the air.

43 (e) The Tahoe Regional Planning Agency to carry out the
44 provisions of NRS 277.200 with respect to the preservation and
45 improvement of air quality in the Lake Tahoe Basin.



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

6 4. The Department of Motor Vehicles shall make quarterly
7 distributions of money in the Pollution Control Account to local air
8 pollution control agencies in nonattainment or maintenance areas for
9 an air pollutant for which air quality criteria have been issued
10 pursuant to 42 U.S.C. § 7408. The distributions of money made to
11 agencies in a county pursuant to this subsection must be made from
12 an amount of money in the Pollution Control Account that is equal
13 to one-sixth of the amount received for each form issued in the
14 county pursuant to subsection 1.

15 5. Each local air pollution control agency that receives money
16 pursuant to subsections 4 and 6 shall, not later than 45 days after the
17 end of the fiscal year in which the money is received, submit to
18 the Director of the Legislative Counsel Bureau for transmittal to the
19 Interim Finance Committee a report on the use of the money
20 received.

21 6. The Department of Motor Vehicles shall make annual
22 distributions of excess money in the Pollution Control Account to
23 local air pollution control agencies in nonattainment or maintenance
24 areas for an air pollutant for which air quality criteria have been
25 issued pursuant to 42 U.S.C. § 7408, for programs related to the
26 improvement of the quality of the air. The distributions of excess
27 money made to local air pollution control agencies in a county
28 pursuant to this subsection must be made in an amount
29 proportionate to the number of forms issued in the county pursuant
30 to subsection 1 and an amount proportionate to the amount of fees
31 paid in the county pursuant to NRS 482.381, 482.3812, 482.3814
32 and 482.3816. As used in this subsection, "excess money" means:

33 (a) The money in excess of \$1,000,000 remaining in the
34 Pollution Control Account at the end of the fiscal year, after
35 deduction of the amounts distributed pursuant to subsection 4 and
36 any disbursements made from the Account pursuant to subsection 2;
37 and

38 (b) The money deposited in the Pollution Control Account by
39 the Department of Motor Vehicles pursuant to NRS 482.381,
40 482.3812, 482.3814 and 482.3816.

41 7. The Department of Motor Vehicles shall provide for the
42 creation of an advisory committee consisting of representatives of
43 state and local agencies involved in the control of emissions from
44 motor vehicles. The committee shall:



- 1 (a) Establish goals and objectives for the program for control of
- 2 emissions from motor vehicles;
- 3 (b) Identify areas where funding should be made available; and
- 4 (c) Review and make recommendations concerning regulations
- 5 adopted pursuant to NRS 445B.770.
- 6 **Sec. 11.** NRS 482.2655 is hereby repealed.

TEXT OF REPEALED SECTION

482.2655 Department not to issue special license plates for certain older motor vehicles within 90 days after failed emissions test.

1. If, with respect to a motor vehicle that is required to comply with the provisions of NRS 445B.700 to 445B.815, inclusive, and the regulations adopted pursuant thereto, an authorized inspection station or authorized station tests the emissions from the motor vehicle and the motor vehicle fails the emissions test, the Department shall not issue a special license plate for that vehicle pursuant to NRS 482.381, 482.3812, 482.3814 or 482.3816 for a period of 90 days after the motor vehicle fails the emissions test.

2. As used in this section:

(a) "Authorized inspection station" has the meaning ascribed to it in NRS 445B.710.

(b) "Authorized station" has the meaning ascribed to it in NRS 445B.720.

(c) "Fails the emissions test" means that a motor vehicle does not comply with the applicable provisions of NRS 445B.700 to 445B.815, inclusive, and the regulations adopted pursuant thereto.

