

**(Reprinted with amendments adopted on April 19, 2021)**

**FIRST REPRINT**

**A.B. 349**

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, 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, except in certain situations, and instead must comply with the provisions governing the control of emissions from engines; requiring the owner of an Old Timer vehicle, 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 3 years of the life of the motor vehicle and then requiring that emissions testing be conducted on new motor vehicles annually after the fourth registration of the motor vehicle; requiring the State Environmental Commission to provide for 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; requiring certain fees charged for certain electronic monitoring programs to be equal in amount to the fee charged for 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, classic rods or classic vehicles. (NRS 482.381, 482.3814, 482.3816)  
4 Existing law provides that such vehicles are exempt from certain regulations  
5 governing exhaust emissions, fuel evaporative emissions and visible emissions of  
6 smoke from certain engines if the owner of the vehicle certifies to the Department  
7 of Motor Vehicles that the vehicle was not driven more than 5,000 miles during the  
8 immediately preceding year. (NRS 445B.760) **Sections 1, 3 and 4** of this bill  
9 provide that such motor vehicles must not be used for general transportation,  
10 defined as being driven more than 5,000 miles during the immediately preceding  
11 year, but may be used for club activities, exhibitions, tours, parades or similar  
12 activities and for such other uses as are necessary for the operation and  
13 maintenance of the vehicle. **Sections 1, 3 and 4** provide that such motor vehicles  
14 not used for general transportation are exempt from the provisions governing the  
15 control of emissions from engines and that, if the owner of such a motor vehicle  
16 elects to use the motor vehicle for general transportation, he or she: (1) shall not be  
17 issued special license plates or a registration certificate; and (2) must comply with  
18 the provisions governing the control of emissions from engines. Existing law  
19 requires that such vehicles being used for general transportation and required to  
20 comply with the provisions governing the control of emissions from engines which  
21 fail the emissions test shall not be issued the special license plates for a period of 90  
22 days after failing the emissions test. (NRS 482.2655) **Sections 1, 3 and 4** provide  
23 that this 90-day period is an exception to the prohibition for issuing a special  
24 license plate to a vehicle that is used for general transportation.

25 Existing law requires that the owner of an Old Timer vehicle, classic rod or  
26 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, 482.3814, 482.3816)  
30 **Sections 1, 3 and 4** require this fee to be paid annually.

31 **Sections 1, 3 and 4** require for the issuance of special license plates and a  
32 registration certificate for an Old Timer vehicle, classic rod or classic vehicle that  
33 the 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 of  
54 exhaust emissions. (NAC 445B.4096, 445B.4098, 445B.4099, 445B.462) **Sections**



55 **6 and 7** of this bill require the regulations adopted by the State Environmental  
56 Commission and the Department for the licensing of such stations to authorize any  
57 approved inspector who is licensed: (1) only to test exhaust emissions to work at  
58 any authorized inspection station, any authorized station or any class of fleet station  
59 or multiple locations of such stations, provided that the approved inspector only  
60 tests exhaust emissions; and (2) to test exhaust emissions and to diagnose, repair  
61 and service devices for the control of exhaust emissions to work at any authorized  
62 inspection station, any authorized station or any class of fleet station or multiple  
63 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 fourth registration of the vehicle, which is  
90 the first 3 years of the life of the motor vehicle, and requires the Department to  
91 conduct the test annually after the fourth registration of the motor vehicle. Finally,  
92 **section 9** makes a technical change to reference a federal regulation relating to the  
93 exemption afforded to hybrid electric vehicles. **Sections 5 and 8** of this bill make  
94 conforming 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** requires the  
100 Commission to provide for an additional waiver if the vehicle is repaired by  
101 the owner of the vehicle in any situation and clarifies that such repairs include: (1)  
102 the owner purchasing parts for the repair of the vehicle; (2) the owner buying  
103 equipment for the repair of the vehicle; and (3) the owner performing labor for the  
104 repair of the 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 \$100 the fee for the issuance and annual renewal of a  
109 license for an authorized inspection station, authorized station or fleet station; (2)



110 from \$150 to \$250 the fee for each set of 25 forms certifying emission control  
111 compliance; and (3) from \$6 to \$8.50 the fee for each form issued to a fleet station.  
112 Existing law authorizes the Commission, in a county whose population is 100,000  
113 or more (currently Clark and Washoe Counties) to adopt regulations to establish a  
114 voluntary program of electronic monitoring of emission information from certain  
115 vehicles. Existing law requires the Department to charge an annual fee of \$6 for  
116 each vehicle electronically monitored in such a manner. (NRS 445B.767) **Section**  
117 **5.5** of this bill instead requires the Department to charge an annual fee that is equal  
118 in amount to the fee for each form issued to a fleet station.

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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) Except as otherwise provided in NRS 482.2655, shall not be*  
28 *issued special license plates and a registration certificate pursuant*  
29 *to subsection 1; and*

30 *(b) Shall comply with the provisions of NRS 445B.770 to*  
31 *445B.815, inclusive.*



1 5. License plates issued pursuant to this section must bear the  
2 inscription "Old Timer," and the plates must be numbered  
3 consecutively.

4 ~~[3.]~~ 6. The Nevada Old Timer Club members shall bear the  
5 cost of the dies for carrying out the provisions of this section.

6 ~~[4.]~~ 7. The Department shall charge and collect the following  
7 fees for the issuance of these license plates, which fees are in  
8 addition to all other license fees and applicable taxes:

9 (a) For the first issuance ..... \$35

10 (b) For a renewal sticker ..... \$10

11 ~~[5.]~~ 8. In addition to the fees required pursuant to subsection  
12 ~~[4.]~~ 7, the Department shall charge and collect ~~[a]~~ *an annual* fee  
13 ~~[for the first issuance of the license plates]~~ for those motor vehicles  
14 exempted pursuant to ~~[paragraph (b) of subsection 1 of NRS~~  
15 ~~445B.760]~~ *subsection 3* from the provisions of NRS 445B.770 to  
16 445B.815, inclusive. The amount of the fee must be equal to the  
17 amount of the fee for a form certifying emission control compliance  
18 set forth in paragraph (c) of subsection 1 of NRS 445B.830.

19 ~~[6.]~~ 9. Fees paid to the Department pursuant to subsection ~~[5]~~  
20 8 must be accounted for in the Pollution Control Account created by  
21 NRS 445B.830 and distributed in accordance with subsection 6 of  
22 NRS 445B.830.

23 10. *As used in this section, "general transportation" means a*  
24 *vehicle that is:*

25 (a) *Driven more than 5,000 miles during the immediately*  
26 *preceding year; or*

27 (b) *Used in any capacity for commercial purposes.*

28 **Sec. 2.** (Deleted by amendment.)

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

30 482.3814 1. Except as otherwise provided in ~~[NRS~~  
31 ~~482.2655.]~~ *subsection 4*, the Department may issue special license  
32 plates and registration certificates to residents of Nevada for any  
33 passenger car or light commercial vehicle:

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

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

38 (c) *Having proof satisfactory to the Department that the*  
39 *vehicle is covered by insurance that meets the requirements of*  
40 *NRS 485.185 and that:*

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

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



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

5 (a) *Club activities, exhibitions, tours, parades or similar*  
6 *activities; and*

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

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

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

13 (a) *Except as otherwise provided in NRS 482.2655, shall not be*  
14 *issued special license plates and a registration certificate pursuant*  
15 *to subsection 1; and*

16 (b) *Shall comply with the provisions of NRS 445B.770 to*  
17 *445B.815, inclusive.*

18 5. *Except as otherwise provided in subsection ~~[3.]~~ 6, license*  
19 *plates issued pursuant to this section must be inscribed with the*  
20 *words "CLASSIC ROD" and a number of characters, including*  
21 *numbers and letters, as determined necessary by the Director.*

22 ~~[3.]~~ 6. *A person may request personalized prestige license*  
23 *plates issued pursuant to NRS 482.3667 instead of a special license*  
24 *plate issued pursuant to subsection ~~[2.]~~ 5 if that person pays the fees*  
25 *for the personalized prestige license plates in addition to the fees*  
26 *required pursuant to this section.*

27 ~~[4.]~~ 7. *If, during a registration year, the holder of special plates*  
28 *issued pursuant to subsection ~~[2.]~~ 5 or ~~[3.]~~ 6 disposes of the vehicle to*  
29 *which the plates are affixed, the holder shall retain the plates and:*

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

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

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

38 ~~[6.]~~ 9. *In addition to the fees required pursuant to subsection*  
39 *~~[5.]~~ 8, the Department shall charge and collect ~~[a]~~ an annual fee*  
40 *~~[for the first issuance of the special license plates]~~ for those motor*  
41 *vehicles exempted pursuant to ~~[paragraph (b) of subsection 1 of~~*  
42 *~~NRS 445B.760]~~ subsection 3 from the provisions of NRS 445B.770*  
43 *to 445B.815, inclusive. The amount of the fee must be equal to the*  
44 *amount of the fee for a form certifying emission control compliance*  
45 *set forth in paragraph (c) of subsection 1 of NRS 445B.830.*



1 ~~[7.]~~ 10. Fees paid to the Department pursuant to subsection ~~[6]~~  
2 9 must be accounted for in the Pollution Control Account created by  
3 NRS 445B.830 and distributed in accordance with subsection 6 of  
4 NRS 445B.830.

5 *11. As used in this section, "general transportation" means a*  
6 *vehicle that is:*

7 *(a) Driven more than 5,000 miles during the immediately*  
8 *preceding year; or*

9 *(b) Used in any capacity for commercial purposes.*

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

11 482.3816 1. Except as otherwise provided in ~~[NRS~~  
12 ~~482.2655.]~~ *subsection 4*, the Department may issue special license  
13 plates and registration certificates to residents of Nevada for any  
14 passenger car or light commercial vehicle:

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

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

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

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

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

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

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

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

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

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

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

41 *(a) Except as otherwise provided in NRS 482.2655, shall not be*  
42 *issued special license plates and a registration certificate pursuant*  
43 *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 ~~3.1~~ 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 ~~3.1~~ 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 ~~2.1~~ 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 ~~4.1~~ 7. If, during a registration period, the holder of special  
12 plates issued pursuant to subsection ~~2.1~~ 5 or ~~3.1~~ 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 ~~5.1~~ 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 ~~6.1~~ 9. In addition to the fees required pursuant to subsection  
24 ~~5.1~~ 8, the Department shall charge and collect ~~an~~ *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 ~~7.1~~ 10. Fees paid to the Department pursuant to subsection ~~6.1~~  
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:*

37 *(a) Driven more than 5,000 miles during the immediately*  
38 *preceding year; or*

39 *(b) Used for any capacity for commercial purposes.*

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

41 482.461 1. ~~3.1~~ *Except as otherwise provided in subsection 3*  
42 *of NRS 445B.825, if* the test conducted pursuant to NRS 445B.798  
43 indicates that a motor vehicle which is registered in a county whose  
44 population is 100,000 or more does not comply with the provisions  
45 of NRS 445B.700 to 445B.845, inclusive, and the regulations





1 adopted pursuant thereto, the Department shall mail to the registered  
2 owner of the vehicle a notice that the vehicle has failed the test.

3 2. The notice must include:

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

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

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

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

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

17 (b) Provides to the Department evidence of compliance issued  
18 by the authorized station or authorized inspection station certifying  
19 that the vehicle complies with the provisions of NRS 445B.700 to  
20 445B.845, inclusive, and the regulations adopted pursuant thereto.

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

23 5. As used in this section:

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

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

28 **Sec. 5.5.** NRS 445B.767 is hereby amended to read as follows:

29 445B.767 1. In any county whose population is 100,000 or  
30 more, the Commission may, in cooperation with the Department of  
31 Motor Vehicles and any local air pollution control agency, adopt  
32 regulations to establish a voluntary program of electronic  
33 monitoring of emission information, from vehicles equipped with  
34 onboard diagnostic equipment that permits such monitoring, for the  
35 purposes of compliance with this chapter.

36 2. The Department of Motor Vehicles shall charge an annual  
37 fee ~~of \$6~~ *that is equal in amount to the fee imposed pursuant to*  
38 *paragraph (c) of subsection 1 of NRS 445B.830* for each vehicle  
39 electronically monitored pursuant to subsection 1. Fees collected by  
40 the Department pursuant to this section must be accounted for in the  
41 Pollution Control Account created by NRS 445B.830.

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

43 445B.775 1. The regulations adopted by the Commission  
44 pursuant to NRS 445B.770 must establish requirements by which  
45 the Department of Motor Vehicles may license:



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

~~6~~ ~~1~~ (1) Except as otherwise provided in ~~paragraph (b),~~  
7 *subparagraph (2)*, may not, unless specifically authorized by the  
8 Commission, install, repair, diagnose or adjust any component or  
9 system of a motor vehicle that affects exhaust emissions.

~~10~~ ~~1~~ (2) May perform the following activities in connection  
11 with a motor vehicle:

~~12~~ ~~1~~ (I) The changing of oil;

~~13~~ ~~1~~ (II) The replacing of an oil filter, air filter, fuel filter,  
14 belt or hose; and

~~15~~ ~~1~~ (III) The servicing of a fuel injection system using  
16 methods approved by the Division of Environmental Protection of  
17 the State Department of Conservation and Natural Resources.

~~18~~ ~~2~~ (b) Authorized stations, including criteria by which any  
19 person may become qualified to inspect, repair, adjust and install  
20 devices for the control of emissions for motor vehicles.

~~21~~ *2. The regulations adopted by the Commission pursuant to  
22 NRS 445B.770 must authorize any approved inspector who is  
23 licensed by the Department of Motor Vehicles:*

~~24~~ *(a) Only to test exhaust emissions to work at any authorized  
25 inspection station, authorized station or any class of fleet station  
26 or multiple locations of such stations. Such an inspector shall not  
27 diagnose, repair or service devices for the control exhaust  
28 emissions at any such station.*

~~29~~ *(b) To test exhaust emissions and diagnose, repair and service  
30 devices for the control of exhaust emissions to work at any  
31 authorized inspection station, authorized station or any class of  
32 fleet station or multiple locations of such stations.*

~~33~~ **Sec. 7.** NRS 445B.785 is hereby amended to read as follows:

~~34~~ 445B.785 1. The Department of Motor Vehicles shall, in  
35 cooperation with the Commission, adopt regulations which:

~~36~~ (a) Prescribe requirements for licensing authorized inspection  
37 stations, authorized stations and fleet stations. The regulations  
38 adopted pursuant to this paragraph must provide that a facility  
39 licensed as an authorized inspection station:

~~40~~ (1) Except as otherwise provided in subparagraph (2), may  
41 not, unless specifically authorized by the Commission, install,  
42 repair, diagnose or adjust any component or system of a motor  
43 vehicle that affects exhaust emissions.

~~44~~ (2) May perform the following activities in connection with a  
45 motor vehicle:



1 (I) The changing of oil;  
2 (II) The replacing of an oil filter, air filter, fuel filter, belt  
3 or hose; and  
4 (III) The servicing of a fuel injection system using  
5 methods approved by the Division of Environmental Protection of  
6 the State Department of Conservation and Natural Resources.

7 (b) Prescribe the manner in which authorized inspection  
8 stations, authorized stations and fleet stations inspect motor vehicles  
9 and issue evidence of compliance.

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

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

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

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

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

21 2. The Department of Motor Vehicles shall issue a copy of the  
22 regulations to each authorized inspection station, authorized station  
23 and fleet station.

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

27 *(a) Only to test exhaust emissions to work at any authorized  
28 inspection station, authorized station or any class of fleet station  
29 or multiple locations of such stations. Such an inspector shall not  
30 diagnose, repair or service devices for the control exhaust  
31 emissions at any such station.*

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

36 **Sec. 8.** NRS 445B.798 is hereby amended to read as follows:  
37 445B.798 ~~HB~~

38 *1. Notwithstanding subsection 3 of NRS 445B.825 and except  
39 as otherwise provided in subsection 2, in a county whose  
40 population is 100,000 or more, the Department of Motor Vehicles  
41 may conduct a test of the emissions from a motor vehicle which is  
42 being operated on a highway in that county to determine whether the  
43 vehicle complies with the provisions of NRS 445B.700 to  
44 445B.845, inclusive, and the regulations adopted pursuant thereto.*



1       2. *As an alternative to the test of the emissions authorized to*  
2 *be conducted pursuant to subsection 1, in a county whose*  
3 *population is 100,000 or more, the Department of Motor Vehicles*  
4 *may establish a remote sensing system to test the emissions from a*  
5 *motor vehicle which is being operated on a highway in that county*  
6 *to determine whether the vehicle complies with the provisions of*  
7 *NRS 445B.700 to 445B.845, inclusive, and the regulations adopted*  
8 *pursuant thereto. If the Department of Motor Vehicles establishes*  
9 *a remote sensing system pursuant to this subsection, the*  
10 *Department of Motor Vehicles shall adopt regulations:*

11       (a) *As necessary for carrying out the remote sensing system,*  
12 *including, without limitation, the implementation and enforcement*  
13 *of the remote sensing system and the control of quality assurance*  
14 *of the remote sensing system;*

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

21       (c) *That allow for the collection of data from the remote*  
22 *sensing system. The Department of Motor Vehicles and any other*  
23 *agency of this State may use the data collected from the remote*  
24 *sensing system, so long as the information of a person who*  
25 *participates in the remote sensing system is not disclosed to the*  
26 *public.*

27       3. *As used in this section, “remote sensing system” means an*  
28 *emissions profiling system that uses remote sensing devices (RSD)*  
29 *on a highway in a county whose population is 100,000 or more to*  
30 *identify the emissions from a motor vehicle.*

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

32       445B.825 1. The Commission may provide for exemption  
33 from the provisions of NRS 445B.770 to 445B.815, inclusive, of  
34 designated classes of motor vehicles, including, without limitation,  
35 classes based upon the year of manufacture of motor vehicles.

36       2. A hybrid electric vehicle, as defined in 40 C.F.R. §  
37 ~~86.1702-99.1~~ 86.1803-01, is exempt from the provisions of NRS  
38 445B.770 to 445B.815, inclusive, until the model year of the vehicle  
39 is 6 years old.

40       3. *A new motor vehicle is exempt from the test conducted*  
41 *pursuant to NRS 445B.798 and the provisions of NRS 445B.770 to*  
42 *445B.815, inclusive, until the fourth registration of the motor*  
43 *vehicle. If the Department of Motor Vehicles conducts a test*  
44 *pursuant to NRS 445B.798, the Department of Motor Vehicles*  
45 *shall conduct the test pursuant to NRS 445B.798 to determine*



1 *whether the motor vehicle complies with the provisions of NRS*  
2 *445B.700 to 445B.845, inclusive, and the regulations adopted*  
3 *pursuant thereto, annually after the fourth registration of the*  
4 *motor vehicle.*

5 4. The Commission shall provide for a waiver from the  
6 provisions of NRS 445B.770 to 445B.815, inclusive, if  
7 ~~[compliance]~~ :

8 (a) *Compliance* involves repair and equipment costs which  
9 exceed the limits established by the Commission ~~[-The Commission~~  
10 ~~shall establish the limits in a manner which avoids unnecessary~~  
11 ~~financial hardship to motor vehicle owners.]; or~~

12 (b) *The following applies:*

13 (1) *Compliance* involves repair and equipment costs which  
14 exceed the limits established by the Commission; and

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

18 (I) *The owner purchasing parts for the repair of the*  
19 *vehicle;*

20 (II) *The owner buying equipment for the repair of the*  
21 *vehicle; and*

22 (III) *The owner performing labor on the vehicle for the*  
23 *repair of the vehicle.*

24 *↪ The Commission shall establish the limits referenced in this*  
25 *section in a manner which avoids unnecessary financial hardship*  
26 *to motor vehicle owners.*

27 5. *As used in this section, "new motor vehicle" means a*  
28 *motor vehicle that has never been registered with the Department*  
29 *of Motor Vehicles and has never been registered with the*  
30 *appropriate agency or authority of any other state, the District of*  
31 *Columbia, any territory or possession of the United States or a*  
32 *foreign state, province or country.*

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

34 445B.830 1. In areas of the State where and when a program  
35 is commenced pursuant to NRS 445B.770 to 445B.815, inclusive,  
36 the following fees must be paid to the Department of Motor  
37 Vehicles and accounted for in the Pollution Control Account, which  
38 is hereby created in the State General Fund:

39 (a) For the issuance and annual renewal of a  
40 license for an authorized inspection station,  
41 authorized station or fleet station.....~~[\$25]~~ **\$100**

42 (b) For each set of 25 forms certifying emission  
43 control compliance.....~~[150]~~ **212.50**

44 (c) For each form issued to a fleet station.....~~[6]~~ **8.50**



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

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

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

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

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

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

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

25 4. The Department of Motor Vehicles shall make quarterly  
26 distributions of money in the Pollution Control Account to local air  
27 pollution control agencies in nonattainment or maintenance areas for  
28 an air pollutant for which air quality criteria have been issued  
29 pursuant to 42 U.S.C. § 7408. The distributions of money made to  
30 agencies in a county pursuant to this subsection must be made from  
31 an amount of money in the Pollution Control Account that is equal  
32 to one-sixth of the amount received for each form issued in the  
33 county pursuant to subsection 1.

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

40 6. The Department of Motor Vehicles shall make annual  
41 distributions of excess money in the Pollution Control Account to  
42 local air pollution control agencies in nonattainment or maintenance  
43 areas for an air pollutant for which air quality criteria have been  
44 issued pursuant to 42 U.S.C. § 7408, for programs related to the  
45 improvement of the quality of the air. The distributions of excess



1 money made to local air pollution control agencies in a county  
2 pursuant to this subsection must be made in an amount  
3 proportionate to the number of forms issued in the county pursuant  
4 to subsection 1 and an amount proportionate to the amount of fees  
5 paid in the county pursuant to NRS 482.381, 482.3812, 482.3814  
6 and 482.3816. As used in this subsection, "excess money" means:

7 (a) The money in excess of \$1,000,000 remaining in the  
8 Pollution Control Account at the end of the fiscal year, after  
9 deduction of the amounts distributed pursuant to subsection 4 and  
10 any disbursements made from the Account pursuant to subsection 2;  
11 and

12 (b) The money deposited in the Pollution Control Account by  
13 the Department of Motor Vehicles pursuant to NRS 482.381,  
14 482.3812, 482.3814 and 482.3816.

15 7. The Department of Motor Vehicles shall provide for the  
16 creation of an advisory committee consisting of representatives of  
17 state and local agencies involved in the control of emissions from  
18 motor vehicles. The committee shall:

19 (a) Establish goals and objectives for the program for control of  
20 emissions from motor vehicles;

21 (b) Identify areas where funding should be made available; and

22 (c) Review and make recommendations concerning regulations  
23 adopted pursuant to NRS 445B.770.

24 **Sec. 11.** (Deleted by amendment.)

25 **Sec. 11.5.** 1. This section and sections 2, 5 to 9, inclusive,  
26 and 11 of this act, become effective on October 1, 2021.

27 2. Section 10 of this act becomes effective on January 1, 2022.

28 3. Sections 1, 3 and 4 of this act become effective on  
29 January 1, 2023.

