

SENATE BILL NO. 315—SENATOR OHRENSCHALL

MARCH 22, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to mufflers on motor vehicles. (BDR 43-993)

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 equipment on motor vehicles; prohibiting modification of the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of the motor vehicle above that emitted by the muffler originally installed on the motor vehicle; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Department of Motor Vehicles to adopt rules and regulations governing noise emissions for vehicles sold in this State and operating on the highways of this State. (NRS 484D.410) Existing law also requires all motor vehicles to be equipped with a muffler in good working order to prevent emissions greater than those allowed by rules and regulations established by the Department. Finally, existing law prohibits the use of any muffler cutout, bypass or similar device upon a motor vehicle. (NRS 484D.415)

Section 4 of this bill makes it unlawful to modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of the motor vehicle above that emitted by the muffler originally installed on the motor vehicle. **Section 4** provides that such an unlawful modification of the exhaust system of a motor vehicle is a violation which is punishable by the imposition of a civil penalty: (1) of \$250 for the first violation within 1 year; (2) of \$500 for the second violation within 1 year; and (3) of \$1,000 for the third or subsequent violation within 1 year. **Section 4** also: (1) requires a court that imposes a civil penalty for a violation to notify the Department of the violation; and (2) prohibits the Department from renewing the registration of the motor vehicle involved in the violation unless the Department has received satisfactory proof that the exhaust system of the motor vehicle is in compliance with the requirements relating to the exhaust system set forth in **section 4**.

Sections 1-3 of this bill make conforming changes that are necessary as the result of the changes in **section 4**.



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

1 **Section 1.** NRS 482.230 is hereby amended to read as follows:

2 482.230 The Department or a registered dealer shall not grant
3 an application for the registration of a vehicle in any of the
4 following events:

5 1. When the applicant therefor is not entitled thereto pursuant
6 to the provisions of this chapter.

7 2. When the applicant has neglected or refused to furnish the
8 Department or registered dealer with the information required in the
9 appropriate official form or reasonable additional information
10 required by the Department or registered dealer.

11 3. When the fees required therefor by law have not been paid.

12 4. When the applicant for the registration of a commercial
13 motor vehicle with a gross vehicle weight rating, a combined gross
14 vehicle weight rating, a gross vehicle weight or a combined gross
15 vehicle weight in excess of 26,000 pounds and which is intended to
16 operate in intrastate commerce is a motor carrier who:

17 (a) Has not complied with NRS 482.2912; or

18 (b) Is subject to an out-of-service order.

19 5. *When the Department has been notified pursuant to*
20 *subsection 4 of NRS 484D.415 of a violation of subsection 3 of*
21 *NRS 484D.415 involving a motor vehicle and the Department has*
22 *not received satisfactory proof from the applicant pursuant to*
23 *subsection 4 of NRS 484D.415 that the exhaust system of the*
24 *motor vehicle is in compliance with the provisions of subsection 3*
25 *of NRS 484D.415.*

26 **Sec. 2.** Chapter 484D of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 *“Muffler” has the meaning ascribed to it in NRS 486.051.*

29 **Sec. 3.** NRS 484D.010 is hereby amended to read as follows:

30 484D.010 As used in this chapter, unless the context otherwise
31 requires, the words and terms defined in NRS 484D.015 to
32 484D.055, inclusive, *and section 2 of this act* have the meanings
33 ascribed to them in those sections.

34 **Sec. 4.** NRS 484D.415 is hereby amended to read as follows:

35 484D.415 1. Every motor vehicle ~~[shall]~~ *must* at all times be
36 equipped with a muffler in good working order and in constant
37 operation to prevent emissions , *including noise emissions*, greater
38 than those allowed by rules and regulations established by the
39 Department. ~~[No]~~ A person shall *not* use a muffler cutout, bypass or
40 similar device upon a motor vehicle on a highway.



1 2. The engine and power mechanism of every motor vehicle
2 ~~shall~~ **must** be so equipped and adjusted as to prevent the escape of
3 excessive fumes or smoke.

4 3. *A person shall not modify the exhaust system of a motor
5 vehicle in a manner which will amplify or increase the noise
6 emitted by the motor of the motor vehicle above that emitted by the
7 muffler originally installed on the motor vehicle. A violation of
8 this subsection:*

9 (a) *Is not a misdemeanor;*

10 (b) *Shall not be deemed a moving traffic violation; and*

11 (c) *Is punishable by the imposition of a civil penalty:*

12 (1) *Of \$250 for the first violation within 1 year.*

13 (2) *Of \$500 for the second violation within 1 year.*

14 (3) *Of \$1,000 for the third or subsequent violation within 1
15 year.*

16 4. *A court that imposes a civil penalty for a violation of
17 subsection 3 shall notify the Department of the violation. The
18 Department shall not renew the registration of the motor vehicle
19 involved in the violation unless the Department has received
20 satisfactory proof that the exhaust system of the motor vehicle is in
21 compliance with the provisions of subsection 3.*

