

**LCB FILE No. R068-05**

**PROPOSED REGULATION OF THE DEPARTMENT  
OF MOTOR VEHICLES**

**NOTICE OF PUBLIC WORKSHOP  
FOR THE ADOPTION OF REGULATIONS FOR  
THE DEPARTMENT OF MOTOR VEHICLES**

The Department of Motor Vehicles will hold public workshops at the following location on the date and time specified:

**PUBLIC WORKSHOP  
LAS VEGAS**

Tuesday, July 12, 2005 3:00 pm  
Community College of S. Nevada  
Bldg B, Room 140  
3200 Cheyenne Ave.  
North Las Vegas, NV. 89030

**PUBLIC WORKSHOP  
RENO**

Tuesday, July 26, 2005 at 3:00 pm  
South Valley's Library  
Diamond Room  
15650A Wedge Parkway  
Reno, NV. 89511

The purpose of this workshop is to receive comments from all interested persons regarding:

- NAC 445B.579, Inspection of vehicle: Devices for emission control required.
- NAC 445B.580, Inspection of vehicle: Procedure for certain vehicles with model year of 1995 or older and heavy-duty vehicles with model year of 1996 or newer.
- NAC 445B.581, Inspection of vehicle: Place and equipment for performance.
- NAC 445B.589, Testing of light-duty motor vehicles powered by diesel engines: Procedure; certificate of compliance; effect of failure.
- NAC 445B.5895, Provision of list of authorized stations.
- **NAC 445B.XXX, New proposed regulation:** Inspection of vehicle being maintained in a state where inspection is required, proof of compliance prior to application of new or renewal of registration.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department of Motor Vehicles may proceed immediately to act upon any written submissions.

There is no economic effect of the regulation on the public, nor is there a cost to the agency for enforcement of the proposed regulations.

The proposed amendment of regulations pertaining to Chapter 445B of Nevada Administrative code do not overlap or duplicate that of any other state or local governmental agency. These

regulations are not required pursuant to federal law, nor does the federal government regulate similar activities.

Persons wishing to comment upon the proposed action of the Department of Motor Vehicles may appear at the scheduled public workshops or may address their comments, data, views, or arguments, in written form to:

Ivie Harper  
Department of Motor Vehicles  
Management Services and Programs  
555 Wright Way, Carson City, NV 89711

Written submission must be received by Department of Motor Vehicles on or before July 12, 2005.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department of Motor Vehicles may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be amended will be available at each of the Department of Motor Vehicles listed, and at the main public libraries listed, for inspection and copying by members of the public during business hours. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the locations listed on the attached page.

Dated: June 20, 2005.

**THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:**

**DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICES**

Office of the Director  
555 Wright Way  
Carson City, NV. 89711

1085 Highway 95  
Hawthorne, NV. 89415

8250 West Flamingo Rd.  
Las Vegas, NV. 89147

3030 S. Needles Highway, Ste. 900  
Laughlin, NV. 89028

3920 E. Idaho St.  
Elko, NV. 89801

1360 Basin Road  
Pahrump, NV. 89060

178 Avenue F  
Ely, NV. 89301

330 N. Sandhill Rd. Ste. H  
Mesquite, NV. 89027

973 W. Williams Ave.  
Fallon, NV. 89406

4021 W. Carey Ave.  
N. Las Vegas, NV. 89030

400 Howerton Hill  
Tonopah, NV. 89049

3505 Construction Way  
Winnemucca, NV. 89445

215 West Bridge St. No. 9  
Yerington, NV. 89447

1694 County Rd.  
Minden, NV. 89423

305 Galletti Way  
Reno, NV. 89512

1399 American Pacific Dr.  
Henderson, NV. 89014

2701 E. Sahara Ave.  
Las Vegas, NV. 89104

## **LIBRARIES**

Goldfield Public Library  
Fourth & Crook St.  
Goldfield, NV. 89013

Lincoln County Library  
93 Main St.  
Pioche, NV. 89043

Eureka Branch Library  
10190 Monroe St.  
Eureka, NV. 89316

Battle Mountain Branch  
625 Broad St.  
Battle Mountain, NV. 89820

Pershing County Library  
1125 Central Ave.  
Lovelock, NV. 89419

Storey County Library  
95 South R St.  
Virginia City, NV. 89440

Nevada Tax Payers Association  
501 S. Carson St. Ste.301  
Carson City, NV. 89701

Mineral County Library  
1125 Central Ave.  
Hawthorn NV. 89419

Nevada State Library  
100 North Stewart St.  
Carson City, NV. 89701

## LCB FILE No. R068-05

### PROPOSED REGULATION OF THE DEPARTMENT OF MOTOR VEHICLES

**NAC 445B.579 Inspection of vehicle: Devices for emission control required.** (NRS 445B.210, 445B.770, 445B.785) Any motor vehicle which is manufactured on or after January 1, 1981, and subject to inspection in accordance with the provisions of chapter 445B of NRS and the table set forth in NAC 445B.596, as a condition of compliance with the inspection, must have a catalytic converter(s), ~~fuel inlet restricter~~, air injection system(s), exhaust gas recirculation ~~valve~~ system and fuel inlet cap(s) if the motor vehicle was originally equipped by the manufacturer with such equipment. The equipment required by this section must be installed and *appear to be* properly operating in accordance with the specifications for emission control of the manufacturer of the motor vehicle.

**NAC 445B.580 Inspection of vehicle: Procedure for certain vehicles with model year of 1995 or older and heavy-duty vehicles with model year of 1996 or newer.** (NRS 445B.785)

1. Except as otherwise provided in subsection 4, the provisions of this section apply to inspections of:

- (a) All motor vehicles with a model year of 1968 to 1995, inclusive; and
- (b) With regard to motor vehicles with a model year of 1996 or newer, all heavy-duty motor vehicles.

2. After the owner or operator of a motor vehicle subject to the provisions of this section requests an inspection, an approved inspector shall follow the sequence of prompts displayed by the exhaust gas analyzer when conducting the inspection. While the vehicle is at normal operating temperature, the inspector shall connect the exhaust gas analyzer to the vehicle following the sequence of instructions programmed into the analyzer. The probe of the analyzer must be placed in the exhaust pipe of the vehicle. With the engine speed increased to 2,500 revolutions per minute, a steady level of carbon monoxide and hydrocarbons must be recorded by the analyzer. The engine speed must be returned to idle and a steady level of carbon monoxide and hydrocarbons must be recorded. If the vehicle is equipped with dual exhaust pipes, a test must be completed on both exhaust pipes and the average level of carbon monoxide

and hydrocarbons must be recorded when the engine speed is increased to 2,500 revolutions per minute and when the engine speed is returned to idle.

3. The inspector shall visually inspect:

(a) The exhaust system to determine whether or not there is smoke when idling and at 2,500 revolutions per minute; and

(b) The engine to determine whether or not there are blowby gases from the crankcase when idling and at 2,500 revolutions per minute.

4. The inspector shall:

(a) Visually inspect:

(1) All motor vehicles subject to the provisions of this section to determine the presence of a properly installed gas cap(s); and

(2) Each motor vehicle with a model year of 1981 to 1995, inclusive, and, with regard to motor vehicles with a model year of 1996 or newer, each heavy-duty motor vehicle, to determine the presence of an exhaust gas recirculation ~~{valve}~~ *system*, catalytic converter(s), *and* air injection system(s) ~~{and-fuel-inlet-restrictor}~~, and whether that equipment appears to be operating in accordance with the specifications of the manufacturer of the vehicle; and

(b) Enter the results of the visual inspection into the analyzer.

5. The inspector shall complete each test and issue a vehicle inspection report indicating whether or not the vehicle passes the inspection.

6. The inspector shall issue a vehicle inspection report indicating that the vehicle did not pass the inspection if:

(a) The emissions from the vehicle exceed the maximum levels for carbon monoxide or hydrocarbons, or both, as prescribed in NAC 445B.596;

(b) Smoke or blowby is visible; or

(c) The vehicle does not meet the requirements of NAC 445B.579.

7. If a motor vehicle subject to the provisions of this section passes all portions of an inspection but has an improper gas cap or, no gas cap, the owner or operator of the motor vehicle shall obtain a gas cap which is in accordance with the specifications of the manufacturer of the vehicle. The inspector shall inspect the new gas cap and certify its presence in a manner prescribed by the Department, and sign and date the failing vehicle inspection report beneath the

gas cap tamper description. Such a vehicle inspection report may be used as evidence of compliance.

**NAC 445B.581 Inspection of vehicle: Place and equipment for performance.** (NRS 445B.210, 445B.770, 445B.785)

1. *Except as provided in NAC 445B.\*\*\*\*, ~~[A]~~ an* inspection may be performed only at the established place of business by an approved inspector.

2. An inspection of a motor vehicle subject to the provisions of NAC 445B.580 must be performed using an exhaust gas analyzer which is approved by the Department.

**NAC 445B.589 Testing of light-duty motor vehicles powered by diesel engines: Procedure; certificate of compliance; effect of failure.** (NRS 445B.785)

1. An inspector shall comply with the following procedure when testing a light-duty motor vehicle powered by a diesel engine:

(a) The test procedure must include, without limitation, a preparation phase, a tampering inspection phase and an opacity test phase.

(b) In the preparation phase:

(1) The vehicle must be placed on a dynamometer, the transmission must be placed in neutral and the vehicle must be properly restrained to prevent any rolling motion.

(2) The inspector may place an auxiliary cooling fan into position approximately 12 inches in front of the cooling system of the motor vehicle.

(3) The inspector shall then affix a smoke opacity meter which has been calibrated and zeroed to the exhaust system of the vehicle according to the recommendations of the manufacturer of the meter. Vehicles with dual exhaust configurations must have the smoke opacity meter attached to the exhaust pipe displaying the highest observed opacity.

(4) If an exhaust removal system is used, it must be installed so that all of the exhaust from the vehicle being tested is passed through the smoke opacity meter.

(c) In the tampering inspection phase, the inspector shall visually inspect:

(1) All vehicles with a model year of 1981 or newer to ensure that all equipment for emission control which is listed on the manufacturer's emission label is present and appears to be operational; and

(2) All vehicles to verify the presence of a properly installed fuel cap(s).

(d) During the opacity test phase, the inspector shall:

(1) Verify that the vehicle is at normal operating temperature before beginning the test. If the vehicle has cooled down below its normal operating temperature during its placement on the dynamometer, it must be operated until its normal operating temperature is reached.

(2) Test vehicles with varying engine sizes under the following speed and load conditions:

	Speed	Load
<i>Advertised Horsepower</i> <del>{Number of Cylinders}</del>	<i>45 miles per hour</i> <i>.(miles per hour)</i>	<i>30% of the vehicles</i> <i>advertised</i> <i>horsepower, not to</i> <i>exceed more than</i> <i>100 loaded</i> <i>horsepower</i> <i>maximum</i> 1 horsepower
<del>{ 1-100 }</del> <del>[4]</del>	<del>40</del>	<del>7.0</del>
<del>101-200 }</del> <del>[6]</del>	<del>40</del>	<del>15.0</del>
<del>201 &gt; }</del> <del>[8]</del>	<del>40</del>	<del>30.0]</del>

(3) Maintain the required speed and load condition on the vehicle being tested for 10 seconds. The engine opacity must be stored and printed at the end of the 10-second interval.

2. The inspector shall issue a certificate of compliance indicating the results of the test. The printout from the opacity meter must be provided with the certificate of compliance. The test is complete if the vehicle passes the tampering inspection phase and the results of the opacity test phase comply with the standards set forth in NAC 445B.576. A vehicle which exceeds the opacity standards or which fails the tampering inspection phase must be considered to have failed the inspection and the inspector shall issue a certificate of compliance reflecting the failure.

3. A vehicle which:

(a) Fails the tampering inspection phase must be repaired and ~~{reinspected}~~ *retested*.

(b) Fails the opacity test must be repaired and retested.



**NAC 445B.5895 Provision of list of authorized stations. (NRS 445B.785)**

1. An authorized inspection station must provide a list of authorized stations to the owner or operator of a motor vehicle that fails an inspection. The Department will provide *or make available* the list of authorized stations to each authorized inspection station in this State.

*2. An authorized station must provide a list of authorized stations to the owner or operator of a motor vehicle that fails an inspection if that station does not perform emission system repairs on that particular model vehicle or if the vehicle is being removed from the authorized station before repairs have begun or have been completed. The Department will provide or make available the list of authorized stations to each authorized station in this State.*

*NAC 445B.\*\*\*\* Inspection of vehicle being maintained in a state where inspection is required, proof of compliance prior to application for new or renewal of registration.*

*1. The owner of a motor vehicle subject to registration in this state that requires testing for compliance with emission control pursuant to this chapter, but is temporarily used and physically maintained in another state that also requires testing of motor vehicles for compliance with standards for emission control shall submit with their application for registration or renewal of registration:*

*a. Proof of compliance for emission control in the state where the vehicle is being maintained or temporarily used, or;*

*b. A waiver from testing based on the standards for waiver applicable to the state where the vehicle is temporarily maintained or used.*

*2. Should the registered owner of a vehicle fail to comply with the provisions of section 1 of this regulation, the Department may after notice and opportunity for hearing, refuse to renew, suspend or cancel the registration of the vehicle.*