

**REVISED PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R055-00

May 23, 2000

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

AUTHORITY: §§1-4, NRS 445B.210 and 445B.770.

Section 1. Chapter 445B of NAC is hereby amended by adding thereto a new section to read as follows:

1. Any motor vehicle with a 1996 or newer model year which is equipped with a certified on-board diagnostic system and which is subject to inspection pursuant to chapter 445B of NRS in a county whose population is 400,000 or more, as a condition of compliance with the inspection, must have the certified on-board diagnostic system inspected.

2. The department shall develop test procedures and certify equipment to be used for inspecting certified on-board diagnostic systems in a county whose population is 400,000 or more.

3. As used in this section:

(a) “Certified on-board diagnostic system” means a computer system which is contained within the vehicle and which is certified by the United States Environmental Protection Agency to be fully capable of monitoring all the sensors and actuators in the drivetrain of the vehicle to determine whether the sensors and actuators are working as intended.

(b) “Population” has the meaning ascribed to it in NRS 0.050.

Sec. 2. NAC 445B.575 is hereby amended to read as follows:

445B.575 1. Except as otherwise provided in this section, a person shall not:

(a) Sell, offer to sell, display, operate or leave standing any motor vehicle which is required by state or federal law to be equipped with a device for the control of pollution unless the device is correctly installed and in operating condition.

(b) Disconnect, alter or modify any such required device.

2. ~~The~~ *Except for section 1 of this regulation, the* provisions of subsection 1 and NAC 445B.576 to 445B.582, inclusive, do not apply to an alteration or modification of a motor vehicle to use fuel other than gasoline or diesel fuel where the alteration or modification is effected without violating existing federal and state standards for the control of exhaust emissions.

3. The provisions of subsection 1 do not apply to a wholesale transaction between licensed dealers of motor vehicles.

4. The department may inspect a licensed dealer of motor vehicles to determine compliance with this section. Such inspections must be conducted in accordance with subparagraph (2) of paragraph (a) of subsection 4 of NAC 445B.580.

5. As used in this section, a “device for the control of pollution” includes, without limitation, a gasoline cap which meets the specifications of the manufacturer of the motor vehicle and seals the neck or pipe of the fuel filler.

Sec. 3. NAC 445B.6115 is hereby amended to read as follows:

445B.6115 The provisions of NAC 445B.575 to 445B.601, inclusive, *and section 1 of this regulation* do not apply to a motor vehicle that is certified as a restored vehicle by the department pursuant to NAC 445B.6125.

Sec. 4. This regulation becomes effective on the date the state environmental commission notifies the department of motor vehicles and public safety that:

1. The amount of carbon monoxide in the air in Clark County exceeds the national ambient air quality standards for carbon monoxide set forth in 40 C.F.R. Part 50; or
2. The actual vehicle miles traveled exceed the allowed deviation from the projected vehicle miles traveled set forth in the state implementation plan which has been approved by the United States Environmental Protection Agency.