

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

**LCB File No. R068-05**

November 1, 2005

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

AUTHORITY: §§1-7, NRS 445B.785.

A REGULATION relating to vehicle emissions; revising the provisions governing the control of emissions; and providing other matters properly relating thereto.

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

*1. The owner of a motor vehicle subject to registration in this State that requires testing for compliance with standards for emission control pursuant to chapter 445B of NRS and this chapter, but whose vehicle is temporarily being used and maintained in another state that also requires the testing of motor vehicles for compliance with standards for emission control, must submit with his application for registration or renewal of registration:*

*(a) Proof of compliance with the standards for emission control in the state in which the vehicle is temporarily being used and maintained; or*

*(b) A waiver from such testing based on the standards for waiver applicable in the state in which the vehicle is temporarily being used and maintained.*

*2. If the registered owner of a vehicle subject to this section fails to comply with the provisions of subsection 1, the Department may, after notice and an opportunity for a hearing, suspend or cancel the registration of the vehicle.*

**Sec. 2.** NAC 445B.400 is hereby amended to read as follows:

445B.400 The provisions of NAC 445B.400 to 445B.735, inclusive, *and section 1 of this regulation*, provide the standards for controlling engine emissions.

**Sec. 3.** NAC 445B.579 is hereby amended to read as follows:

445B.579 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, fuel inlet restricter, air injection system, exhaust gas recirculation ~~[valve]~~ *system* and fuel inlet cap 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.

**Sec. 4.** NAC 445B.580 is hereby amended to read as follows:

445B.580 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; 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, air injection system and fuel inlet restricter, and *to determine* 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.

**Sec. 5.** NAC 445B.581 is hereby amended to read as follows:

445B.581 1. ~~[Am]~~ *Except as otherwise provided in section 1 of this regulation, 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.

**Sec. 6.** NAC 445B.589 is hereby amended to read as follows:

445B.589 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.

(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:~~

	<del>Speed</del>	<del>Load</del>
<del>Number of Cylinders</del>	<del>(± 4 miles per hour)</del>	<del>(± 1 horsepower)</del>
<del>4</del>	<del>40</del>	<del>7.0</del>
<del>6</del>	<del>40</del>	<del>15.0</del>
<del>8</del>	<del>40</del>	<del>30.0]</del>

*the vehicle under a speed and load condition of 45 miles per hour at 30 percent of the advertised horsepower of the vehicle, except that the load condition must not exceed 100 horsepower. A variation in this testing requirement of plus or minus 5 miles per hour and plus or minus 1 horsepower is acceptable.*

(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 ~~f~~  
~~(a) Fails]~~ *fails* the tampering inspection phase *or the opacity test* must be repaired and ~~[reinspected.~~

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

*4. If a motor vehicle subject to the provisions of this section passes all portions of an inspection but has an improper fuel cap or no fuel cap, the owner or operator of the motor vehicle shall obtain a fuel cap which is in accordance with the specifications of the manufacturer of the vehicle. The inspector shall inspect the new fuel cap and certify its presence in a manner prescribed by the Department, and sign and date the failing vehicle inspection report beneath the fuel cap tamper description. Such a vehicle inspection report may be used as evidence of compliance.*

**Sec. 7.** NAC 445B.5895 is hereby amended to read as follows:

445B.5895 *1.* An authorized inspection station ~~{must}~~ *shall* 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 shall 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 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.*