

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

LCB File No. R082-05

July 19, 2005

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

AUTHORITY: §1, NRS 481.051 and 482.160.

A REGULATION relating to vehicle emissions; revising provisions governing vehicles that emit excessive fumes or smoke; and providing other matters properly relating thereto.

Section 1. Chapter 482 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Upon the receipt of a citation or notice of violation issued with respect to a vehicle emitting excessive fumes or smoke in violation of subsection 2 of NRS 484.611, the Department will:

(a) Prepare a letter and mail it to the last known address of the registered owner of the vehicle explaining the violation and notifying him that proof of the correction of the condition for which the citation or notice was issued is required; and

(b) If the Department does not receive a written response within 10 business days after mailing the letter, send a notice of violation by certified mail to the last known address of the registered owner of the vehicle informing him that if, within 30 days after the date of issuance of the citation or notice, he fails to provide to the Department as specified in subsection 2 proof of the correction of the condition for which the citation or notice was issued, the

Department will rescind and cancel the registration of the vehicle in accordance with NRS 482.460.

2. Proof of the correction of the condition for which a citation or notice was issued must consist of:

(a) A visual inspection of the vehicle performed by a qualified employee of the Department at a facility operated by the Department; or

(b) Written proof of the correction which is set forth on a form sent to the registered owner by the Department and which is completed by a peace officer employed by a law enforcement agency in this State.

3. If the registered owner of the vehicle, within 30 days after the citation or notice was issued, fails to provide to the Department as specified in subsection 2 proof of the correction of the condition for which the citation or notice was issued, the Department will rescind and cancel the registration of the vehicle in accordance with NRS 482.460.