

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

LCB File No. R129-07

October 23, 2007

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

AUTHORITY: §1, NRS 445B.210, 445B.770 and 445B.785.

A REGULATION relating to vehicle emissions; revising certain provisions relating to devices for the control of pollution; and providing other matters properly relating thereto.

Section 1. 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 ~~for sale~~, operate *or permit the operation of* 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 ~~in accordance with the specifications of the vehicle manufacturer and any applicable state or federal statute or regulation.~~

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

2. Except for NAC 445B.5815, 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~~ *Any person who sells a vehicle in a wholesale transaction ~~between licensed dealers of motor vehicles.~~ shall, before the completion*

of the transaction, provide to the purchaser written notice of any device for the control of pollution that is not correctly installed or in operating condition in accordance with the specifications of the vehicle manufacturer and any applicable state or federal statute or regulation.

4. The Department may inspect a licensed dealer of motor vehicles to determine compliance with this section. Such inspections *of a motor vehicle displayed for retail sale to the public* must be conducted in accordance with ~~subparagraph (2)~~:

(a) Subparagraph (2) of paragraph (a) of subsection 4 of NAC 445B.580 ~~is~~;

(b) Paragraph (d) of subsection 2 of NAC 445B.5805; or

(c) If the motor vehicle is a light-duty motor vehicle powered by a diesel engine, paragraph (c) of subsection 1 of NAC 445B.589.

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.