

LCB File No. R023-02

PROPOSED REGULATION OF THE DEPARTMENT OF MOTOR VEHICLES

NAC 445B.460 is hereby amended to read as follows:

NAC 445B.460 Test station: License required to operate; expiration of license; ratings; prohibited acts; location. (NRS 445B.785)

1. No person may engage in the business of issuing evidence of compliance unless he holds a current license to operate a test station at an established place of business and holds one or both of the ratings set forth in subsection 3.

2. A license that:

(a) Was issued for a test station before September 25, 1998, expires 1 year after the last day of the month in which the license was originally issued.

3. A test station shall obtain from the department:

(a) A "G" rating if it will be testing the exhaust emissions of gasoline-powered motor vehicles. A test station with a "G" rating shall use an exhaust gas analyzer that complies with the equipment specifications published by the department for this rating and at least one approved inspector who has a "G" rating to perform the exhaust emissions tests.

(b) A "D" rating if it will be testing the exhaust emissions of light-duty diesel motor vehicles. A test station with a "D" rating shall use an exhaust gas analyzer that complies with the requirements of NAC 445B.587 and at least one approved inspector who has a "D" rating to perform the exhaust emissions tests.

4. A facility which holds a license as an authorized inspection station or class 1 fleet station may test exhaust emissions but shall not perform any installation, *diagnosis*, repair or adjustment to devices that affect exhaust emissions, except the:

(a) Changing of oil; and

(b) Replacement of an oil filter, air filter, fuel filter, belt or hose.

(c) Replacement of spark plugs, spark plug secondary cables, distributor cap, rotor, points or condenser on vehicles with a manufacturer model year of 1989 and older.

(d) Adjustment of engine initial ignition timing, and previously accessible idle speed and air fuel mixture settings on vehicles with a manufacturer model year of 1989 and older.

5. A facility which holds a license as an authorized inspection station or class 1 fleet station cannot perform the services as described in the provisions of subsection 4 (c)(d) to any motor vehicle which has failed it's most recent Nevada emission test.

~~[5.]~~ 6. A person licensed to operate a test station shall not own or hold any ownership interest whatsoever in any business which manufactures, sells, repairs, rents or leases any exhaust gas analyzers approved by the department for the testing of exhaust emissions.

~~[6.]~~ 7. A person or business which manufactures, sells, repairs, rents or leases any exhaust gas analyzers approved by the department for the testing of exhaust emissions shall not own or hold any ownership interest whatsoever in any business licensed to operate a test station.

~~[7.]~~ 8. An authorized inspection station or class 1 fleet station must not be located immediately adjacent to any business which services or repairs motor vehicles unless:

(a) The facility for the station is physically separated from the adjacent facility;

(b) The facility for the station and the adjacent facility have separate entrances for customers and do not share any common doors or entries between the facilities;

(c) The adjacent facility has no access to the physical space in which testing occurs at the facility for the station;

(d) No employee of the adjacent facility is employed by the station; and

(e) The facility for the station and the adjacent facility have separate mailing addresses.