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Control of Emissions: Generally

NAC 445B.575 Device to control pollution: General requirement; alteration or modification. (NRS 445B.210, 445B.770, 445B.785)

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. 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 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.

[Environmental Comm'n, Engine Emission Control Reg. § 3.1, eff. 1-10-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; 12-28-89; 9-13-95; 12-4-96; R079-98, 9-25-98; A by Environmental Comm'n by R055-00, 7-27-2000; A by R017-02, 4-5-2002, eff. 3-1-2002)

NAC 445B.576 Vehicles powered by gasoline or diesel fuel: Restrictions on visible emissions and on idling of diesel engines. (NRS 445B.210, 445B.760, 445B.770)

1. A person shall not operate a motor vehicle powered by gasoline which emits smoke.

2. Except as otherwise provided in subsection 3, visible emissions of diesel-powered motor vehicles or special mobile equipment manufactured:

(a) Before January 1, 1970, must not exceed an opacity of 40 percent for more than 15 consecutive seconds or for periods aggregating more than 5 minutes in any 1 hour.

(b) On or after January 1, 1970, must not exceed an opacity of 20 percent for more than 15 consecutive seconds or for periods aggregating more than 5 minutes in any 1 hour.

3. For the purpose of compliance with the inspection and maintenance program of this State required by subsection 1 of NRS 445B.795, visible emissions of light-duty motor vehicles powered by diesel engines must not exceed an opacity of:

(a) Thirty percent at an elevation of less than 4,000 feet above mean sea level for more than 5 consecutive seconds or for periods aggregating more than 5 minutes in any 1 hour; or

(b) Forty percent at an elevation of 4,000 feet or more above sea level for more than 5 consecutive seconds or for periods aggregating more than 5 minutes in any 1 hour.

4. Except as otherwise provided in this subsection, a person shall not idle the engine of a diesel truck or a bus for more than 15 consecutive minutes. The provisions of this subsection do not apply to a diesel truck or a bus:

(a) For which the Commission has issued a variance from the requirements of this subsection. A variance is not effective during an air pollution emergency as defined in the air quality plan for the State of Nevada.

(b) Which is an emergency vehicle.

(c) Used for the removal of snow.

(d) Used to repair or maintain other motor vehicles.

(e) Which is stopped because of traffic congestion while in transit on a highway, roadway or street.

(f) Which is idling while a repair or maintenance is being performed on it at a shop or facility for the repair and maintenance of motor vehicles.

(g) The emission from which is contained and treated by a method approved by the Commission.

(h) The engine of which must idle to perform a specific task for which it is designed such as well drilling, trenching or hoisting. Such a diesel truck or a bus may not idle for more than 15 consecutive minutes during an air pollution emergency as defined in the air quality plan for the State of Nevada.

5. As used in this section, "mean sea level" means the average level of the sea between high and low tide.

[Environmental Comm'n, Engine Emission Control Reg. §§ 3.2-3.4, eff. 1-10-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-19-85, eff. 1-1-86; 11-23-87, eff. 1-1-88; A by Environmental Comm'n, 12-26-89; 10-22-92)—(Substituted in revision for NAC 445.920)

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NAC 445B.577 Devices used on stationary rails: Restrictions on visible emissions. (NRS 445B.210, 445B.760, 445B.770)

1. Except as provided by federal regulation, visible emissions from devices manufactured before January 1, 1970, used exclusively upon stationary rails must not exceed an opacity greater than 60 percent for more than 15 consecutive seconds.

2. Except as provided by federal regulation, a person shall not operate a device manufactured on or after January 1, 1970, used exclusively upon stationary rails at or below 5,000 feet (1,500 meters) elevation where the period of continuous visible emission is of an opacity greater than 40 percent for more than 15 consecutive seconds.

[Environmental Comm'n, Engine Emission Control Reg. §§ 3.5 & 3.6, eff. 1-10-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88)—(Substituted in revision for NAC 445.921)

NAC 445B.578 Exceptions to restrictions on visible emissions. (NRS 445B.210, 445B.760, 445B.770, 445B.825)

1. Scheduled maintenance or repairs which result in emissions of air contaminants performed in an area determined by the Department as constituting a repair shop do not violate NAC 445B.575 to 445B.582, inclusive.

2. Diesel-powered motor vehicles and special mobile equipment may exceed the visible emissions set forth in subsections 2 and 3 of NAC 445B.576 for not longer than 15 minutes for stationary warm-up of cold engines to achieve operating temperatures.

3. Visible emissions in excess of those set forth in NAC 445B.577 do not violate the requirements of NAC 445B.575 to 445B.582, inclusive, if the visible emissions occur:

- (a) During maintenance or repairs.
- (b) For a period of 40 consecutive seconds or less during acceleration under load.
- (c) For a period of 4 consecutive minutes or less when loaded after a period of idle.

[Environmental Comm'n, Engine Emission Control Reg. §§ 3.7.1-3.7.3.3, eff. 1-10-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88; A by Environmental Comm'n, 10-22-92)—(Substituted in revision for NAC 445.922)

NAC 445B.579 Inspection of vehicle: Devices for emission control required. (NRS 445B.210, 445B.770, 445B.785) 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 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.

[Environmental Comm'n, Engine Emission Control Reg. § 3.7.5, eff. 1-10-78; § 3.8.1, eff. 1-10-78; A 12-20-79; § 3.16, eff. 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; A by Environmental Comm'n, 12-26-89; A by Dep't of Motor Veh. & Pub. Safety by R079-98, 9-25-98; A by Dep't of Motor Veh. by R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.580 Inspection of vehicle: Procedure for certain vehicles with model year of 1995 or older and heavy-duty vehicles with model year of 1996 or newer. (NRS 445B.785)

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

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(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 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.

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 12-28-89; A 5-17-90; 8-19-94; 9-13-95; R079-98, 9-25-98; A by Dep't of Motor Veh. by R178-01, 8-21-2002; R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.5805 Inspection of vehicle: Procedure for light-duty vehicles with model year of 1996 or newer. (NRS 445B.785)

1. The provisions of this section apply to inspections of light-duty motor vehicles with a model year of 1996 or newer.

2. After the owner or operator of a motor vehicle subject to the provisions of this section requests an inspection, the inspector shall:

(a) Turn the ignition switch to the off position for at least 12 seconds.

(b) Locate the data-link connector for the vehicle and connect the test equipment.

(c) Visually inspect the operation of the malfunction illumination light while turning the ignition switch to the run position with the engine off.

(d) Start the vehicle and, with the engine running, establish communication with the certified on-board diagnostic system installed in the vehicle.

(e) Visually inspect the vehicle to determine whether the malfunction illumination light is commanded on.

(f) Review the emission readiness code status.

(g) Retrieve all data trouble codes that are present.

3. The inspector shall complete each test and issue a vehicle inspection report indicating whether or not the vehicle passes the inspection.

4. The inspector shall issue a vehicle inspection report indicating that the vehicle did not pass the inspection if:

(a) The vehicle has a malfunction illumination light that fails to illuminate during a visual inspection while the ignition switch is turned to the run position with the engine off;

(b) The vehicle has its malfunction illumination light commanded on continuously;

(c) The vehicle has a data-link connector that is missing, has been tampered with or is inoperable, including related electrical circuitry;

(d) There is no serial data communication from the certified on-board diagnostic system installed in the vehicle;

(e) The vehicle has a model year of 2001 or newer and has more than one unset readiness indicator;

(f) The vehicle has a model year of 1996 to 2000, inclusive, and has more than two unset readiness indicators; or

(g) Smoke is visible in the exhaust emissions from the vehicle with the engine speed at idle.

(Added to NAC by Dep't of Motor Veh. by R178-01, eff. 8-21-2002)

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NAC 445B.581 Inspection of vehicle: Place and equipment for performance. (NRS 445B.210, 445B.770, 445B.785)

1. Except as otherwise provided in NAC 445B.5915, 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.

[Environmental Comm'n, Engine Emission Control Reg. § 3.10.4, eff. 1-10-78; 8-16-78; 12-20-79]—(NAC A by Dep't of Motor Veh. & Pub. Safety, 8-19-94; 9-13-95; R079-98, 9-25-98; R106-00, 12-11-2000; A by Dep't of Motor Veh. by R178-01, 8-21-2002; R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.5815 Inspection of vehicle: Certified on-board diagnostic systems. (NRS 445B.210, 445B.770)

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, 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.

3. As used in this section, "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.

(Added to NAC by Environmental Comm'n by R055-00, eff. 7-27-2000; A by R017-02, 4-5-2002, eff. 3-1-2002)

NAC 445B.582 Repair of vehicle; reinspection or retesting. (NRS 445B.210, 445B.770, 445B.785)

1. If a vehicle exceeds the limits prescribed in subsection 3 of NAC 445B.576 for visible emissions or NAC 445B.596 for the emission of carbon monoxide or hydrocarbons, or both, it must be repaired and reinspected. If the vehicle passes the reinspection, it is eligible for registration. If the vehicle fails the reinspection, a waiver may be issued as provided in NAC 445B.590.

2. A vehicle owned by a fleet station or a public entity may be retested after repairs by that fleet station or public entity. If the vehicle passes the retesting, it is eligible for registration. If the vehicle fails the retesting, a waiver may be issued as provided in NAC 445B.590.

[Environmental Comm'n, Engine Emission Control Reg. § 3.14.6, eff. 8-16-78; A and renumbered as §§ 3.15.2 & 3.15.3, 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; A by Environmental Comm'n, 12-26-89; A by Dep't of Motor Veh. & Pub. Safety, 12-28-89; A by Environmental Comm'n, 11-23-92; A by Dep't of Motor Veh. & Pub. Safety, 9-13-95)

NAC 445B.583 Evidence of compliance: Purpose; records. (NRS 445B.210, 445B.770, 445B.785)

1. The primary use of evidence of compliance is for the registration of a used motor vehicle as required by chapter 445B of NRS, requiring the submission of certificates of compliance or evidence of compliance with NAC 445B.400 to 445B.735, inclusive, for submission to the Department upon application for registration by an owner of a used motor vehicle.

2. All materials or documents which are used by a test station in its inspection program must be kept at the station.

[Dep't of Motor Veh., Engine Emission Control Reg. § 4.16.1, eff. 1-10-78; § 4.16.2, eff. 8-16-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-13-95; A by Environmental Comm'n by R205-97, 3-5-98; A by Dep't of Motor Veh. & Pub. Safety by R079-98, 9-25-98)

NAC 445B.584 Evidence of compliance: Purchase of vehicle inspection report numbers. (NRS 445B.210, 445B.770, 445B.785)

1. Vehicle inspection report numbers may be purchased only by an owner of a test station or his authorized representative and may be obtained from the branch offices of the Department or from an authorized agent of the Department.

2. An owner of a test station or his authorized representative shall not purchase or otherwise obtain vehicle inspection report numbers from a source other than the Department or an authorized agent of the Department.

[Dep't of Motor Veh., Engine Emission Control Reg. § 4.17.1, eff. 1-10-78; A 12-20-79; § 4.17.1.1, eff. 1-10-78; § 4.17.1.2, eff. 1-10-78; A 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-

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23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 12-28-89; 9-13-95; R079-98, 9-25-98; A by Dep't of Motor Veh. by R199-01, 7-17-2003)

NAC 445B.585 Evidence of compliance: Issuance by approved inspector. (NRS 445B.210, 445B.770, 445B.785) No person other than an approved inspector who is employed by a test station may issue evidence of compliance.

[Dep't of Motor Veh., Engine Emission Control Reg. § 4.18.1, eff. 1-10-78; A 12-20-79; § 4.18.2, eff. 1-10-78; A 8-16-78; 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-19-85; eff. 1-1-86; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; 9-13-95; R079-98, 9-25-98)

NAC 445B.586 Evidence of compliance: Return of fee. (NRS 445B.210, 445B.770, 445B.785) If evidence of compliance is not required for registration by NAC 445B.592 to 445B.595, inclusive, or an inspection is performed by an inspector who the Department determines did not follow the correct procedures for inspection or is performed fraudulently, the authorized station or authorized inspection station where the inspection was performed shall remit to the bearer, upon demand, the amount of the fee for the inspection and the vehicle inspection report number.

[Dep't of Motor Veh., Engine Emission Control Reg. § 4.16.2, eff. 8-16-78; A and renumbered as § 4.16.3, 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-19-85, eff. 1-1-86; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 12-28-89; 9-13-95; R079-98, 9-25-98)

NAC 445B.587 Testing of light-duty motor vehicles powered by diesel engines: Equipment for measurement of smoke opacity. (NRS 445B.785)

1. Equipment for the measurement of smoke opacity from light-duty motor vehicles powered by diesel engines must include a dynamometer and a smoke opacity meter.

2. The dynamometer must have:

(a) The capacity to absorb a minimum of 100 horsepower.

(b) A mechanism for controlling the load that is capable of:

(1) Infinitely variable settings throughout the load and speed range from no-load to full-load;

(2) Being set at a load or speed and, until deactivated, maintaining a preset setting without additional input from the load controller; and

(3) Being operated in the following function modes:

(I) Constant speed;

(II) Constant torque;

(III) Constant horsepower; and

(IV) Manual absorber.

(c) Computer controls which include, without limitation:

(1) A model 286 12-megahertz central processing unit;

(2) A 256 kilobyte video graphic array color card;

(3) A 1.44 megabyte floppy drive;

(4) Five hundred and twelve kilobytes of random access memory;

(5) Parallel printer interface; and

(6) Digital and analog data acquisition interface.

(d) A minimum roller diameter of 8.5 inches.

(e) One hundred and fifteen volt AC single phase 60 Hz power.

(f) A weight limit of 6,000 pounds per axle.

(g) A provision for checking the accuracy of the calibration of the dynamometer in the field, including, without limitation, an electrical output signal, interface and attendant instrumentation. Equipment, tools and procedures recommended or specified by the manufacturer for the calibration and adjustment of the dynamometer must be available.

3. The smoke opacity meter must have:

(a) Calibration accuracy within 1 percent.

(b) Linearity within 1 percent, from 0 to 60 percent opacity.

(c) Drift within 1 percent of the temperature range specified by the manufacturer.

(d) A response time of less than 2 seconds from 0 to 90 percent of scale.

(e) A warm-up time of not more than 10 minutes.

(f) An operating temperature range from 32 to 120 degrees Fahrenheit.

(g) One hundred and fifteen volts AC input, if operated from alternating current.

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- (h) Batteries which are replaceable or rechargeable, and which allow for the operation of the smoke opacity meter without AC input.
 - (i) A RS232C standardized serial interface.
 - (j) The ability to measure exhaust opacity continuously.
- (Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 11-10-92; A by R079-98, 9-25-98)

NAC 445B.588 Testing of light-duty motor vehicles powered by diesel engines: List of approved equipment. (NRS 445B.785) A list of equipment approved for testing light-duty motor vehicles powered by diesel engines and specifications for that equipment will be on file with the Department. A copy of the list may be obtained by writing to:

Department of Motor Vehicles
 Division of Management Services and Programs
 555 Wright Way
 Carson City, Nevada 89711

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 11-10-92; A by Dep't of Motor Veh. by R199-01, 7-17-2003)

NAC 445B.589 Testing of light-duty motor vehicles powered by diesel engines: Procedure; certificate of compliance; effect of failure; lack of proper fuel cap. (NRS 445B.785)

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:

| Number of Cylinders | Speed (± 4 miles per hour) | Load (± 1 horsepower) |
|---------------------|-------------------------------|--------------------------|
| 4 | 40 | 7.0 |
| 6 | 40 | 15.0 |
| 8 | 40 | 30.0 |

- (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

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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 fails the tampering inspection phase or 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.

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 11-10-92; A by R079-98, 9-25-98; A by Dep't of Motor Veh. by R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.5895 Dissemination of list of authorized stations. (NRS 445B.785)

1. An authorized inspection station shall provide a list of authorized stations to the owner or operator of a motor vehicle that fails an inspection.

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.

3. The Department will provide or make available a list of authorized stations to each authorized inspection station and authorized station in this State by:

(a) Having a Department representative provide a copy of the list to a test station in conjunction with its monthly audit conducted pursuant to subsection 4 of NAC 445B.472.

(b) Posting and updating, at least twice monthly, an electronic copy of the list on the Department's website.

(Added to NAC by Dep't of Motor Veh. & Pub. Safety by R079-98, eff. 9-25-98; A by Dep't of Motor Veh. by R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.590 Waiver of standards for emissions. (NRS 445B.210, 445B.760, 445B.770, 445B.785, 445B.825)

1. Only the Department may grant a waiver from the standards for emissions as set forth in subsection 3 of NAC 445B.576 or in NAC 445B.596.

2. An application for a waiver from the provisions of NAC 445B.596 for a motor vehicle powered by gasoline that is subject to an inspection pursuant to:

(a) NAC 445B.594 must include receipts from an authorized station that at least \$200 has been spent on parts other than a catalytic converter, fuel inlet restricter or air injection system or on labor other than emission testing if the repairs evidenced by the receipt were directly related to the deficiency in emissions. If the vehicle is repaired by the owner, the application must include receipts or other evidence that at least \$200 has been spent on parts other than a catalytic converter, fuel inlet restricter or air injection system purchased within 14 calendar days after the initial emissions test. No allowance will be permitted for labor on vehicles repaired by the owner.

(b) NAC 445B.593 must include receipts from an authorized station that at least \$450 has been spent on parts other than a catalytic converter, fuel inlet restricter or air injection system or on labor other than emission testing if the repairs evidenced by the receipt were directly related to the deficiency in emissions.

3. Except as otherwise provided in subsection 4, an application for a waiver for a light-duty motor vehicle powered by a diesel engine from the provisions of subsection 3 of NAC 445B.576 must include:

(a) A copy of the original certificate indicating that the vehicle failed to comply with the provisions of subsection 3 of NAC 445B.576; and

(b) Receipts or other evidence that at least \$750 has been spent on:

(1) Parts other than required emission control equipment; or

(2) Labor other than emission testing if the repairs evidenced by the receipt were directly related to the deficiency in emissions.

↳ Receipts must be dated within 14 calendar days after the date of issuance of the certificate indicating that the vehicle failed to comply with subsection 3 of NAC 445B.576.

4. If the owner of a light-duty motor vehicle powered by a diesel engine repairs the vehicle, an application for a waiver from the provisions of subsection 3 of NAC 445B.576 must include:

(a) A copy of the original certificate indicating that the vehicle failed to comply with the provisions of subsection 3 of NAC 445B.576; and

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(b) Receipts or other evidence that at least \$500 has been spent on parts other than required emission control equipment. No allowance will be permitted for labor on a vehicle repaired by the owner.

↳ Receipts must be dated within 14 calendar days after the date of issuance of the certificate indicating that the vehicle failed to comply with subsection 3 of NAC 445B.576.

5. The Department will deny an application for a waiver if the parts have not been installed or the repairs performed as indicated on the receipts presented to the Department.

6. The Department will allow registration of the vehicle if:

(a) The provisions of NAC 445B.582 have been complied with; and

(b) The Department finds after inspection that additional costs exceeding the minimum established in this section are needed to bring the vehicle into compliance.

7. A vehicle which qualifies for repairs under a warranty is not eligible for a waiver.

8. A waiver permits the registration of the vehicle.

[Environmental Comm'n, Engine Emission Control Reg. § 3.14.1, eff. 1-10-78; A and renumbered as § 3.15.1.1, 12-20-79; § 3.14.2, eff. 1-10-78; A and renumbered as § 3.15.1.2, 12-20-79; § 3.14.3, eff. 1-10-78; A and renumbered as § 3.15.1.3, 12-20-79; § 3.14.5, eff. 1-10-78; A and renumbered as § 3.15.1.4, 12-20-79; § 3.15.1, eff. 1-10-78; A 12-20-79; § 3.15.4, eff. 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; A by Environmental Comm'n, 12-26-89; 11-23-92; R033-98, 5-14-98)

NAC 445B.591 Form for registration of vehicle in area where inspection of vehicle not required. (NRS 445B.210, 445B.770)

1. The Department will make available a form for the registration or the renewal of registration for a motor vehicle which is not in an area where a program for the annual inspection of emissions from motor vehicles has been established.

2. The form must be completed and submitted to the Department pursuant to its instructions.

(Added to NAC by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88)—
(Substituted in revision for NAC 445.9315)

NAC 445B.5915 Requirements for registration of vehicle temporarily being used and maintained in another state. (NRS 481.051, 482.160)

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 this chapter and chapter 445B of NRS, 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.

(Added to NAC by Dep't of Motor Veh. by R068-05, 6-1-2006, eff. 9-1-2006)

NAC 445B.592 Applicability of certain standards for emissions and other requirements. (NRS 445B.210, 445B.760, 445B.770, 445B.825) The provisions of subsection 3 of NAC 445B.576 and NAC 445B.593 to 445B.596, inclusive, do not apply to any:

1. Motorcycle or moped.

2. Motor vehicle which is subject to prorated registration pursuant to NRS 706.801 to 706.861, inclusive, and is not based in this State.

3. New motor vehicle until the third registration of the vehicle.

4. Motor vehicle permanently converted from gasoline to propane, compressed natural gas (CNG), methane or butane as a fuel.

5. Motor vehicle with a model year before 1968.

6. Heavy-duty motor vehicle which has a manufacturer's gross vehicle weight rating of more than 10,000 pounds and which is powered by a diesel engine.

[Environmental Comm'n, Engine Emission Control Reg. § 3.7.4, eff. 1-10-78; A 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 10-19-85, eff. 1-1-86; A by Environmental Comm'n, 12-26-89; 11-23-92; 11-9-95; R035-05, 10-31-2005)

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NAC 445B.593 Evidence of compliance required for certain vehicles based in Clark County. (NRS 445B.210, 445B.770)

1. Except as otherwise provided in subsection 2, persons who are registering or reregistering a used motor vehicle in Clark County must provide evidence of compliance with NAC 445B.400 to 445B.735, inclusive, for those vehicles which are based at an address:

(a) Within the boundaries of Hydrographic Area 212, as established by the State Implementation Plan;

(b) Within 5 miles of the boundaries of Hydrographic Area 212, as established by the State Implementation Plan;

or

(c) Within the city limits of Boulder City.

2. A person who is registering or reregistering a used motor vehicle in Clark County is not required to provide evidence of compliance with NAC 445B.400 to 445B.735, inclusive, for the vehicle if the vehicle is based at an address within the community of Goodsprings.

3. The Department will establish and maintain a list by zip code of the addresses in Clark County that are subject to the requirements of this section and the addresses in Clark County that are exempted from the requirements of this section.

4. As used in this section, "State Implementation Plan" means the plan adopted by the State of Nevada pursuant to 42 U.S.C. §§ 7410 and 7502.

[Environmental Comm'n, Engine Emission Control Reg. § 3.9.2, eff. 1-10-78; A 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-19-85, eff. 1-1-86; A by Environmental Comm'n, 12-26-89; R035-05, 10-31-2005)

NAC 445B.594 Evidence of compliance required for certain vehicles based in Washoe County. (NRS 445B.210, 445B.770)

1. Except as otherwise provided in subsection 2, persons who are registering or reregistering used motor vehicles in Washoe County must provide evidence of compliance with NAC 445B.400 to 445B.735, inclusive, for those vehicles which are based at an address that is south of the 40th degree of north latitude.

2. A person who is registering or reregistering a used motor vehicle in Washoe County is not required to provide evidence of compliance with NAC 445B.400 to 445B.735, inclusive, for the vehicle if the vehicle is based at an address:

(a) Within the community of:

(1) Crystal Bay;

(2) Empire;

(3) Incline Village;

(4) Nixon;

(5) Sutcliffe; or

(6) Wadsworth; or

(b) Which is serviced by a post office for any of the communities listed in paragraph (a).

3. The Department will establish and maintain a list by zip code of the addresses in Washoe County that are subject to the requirements of this section and the addresses in Washoe County that are exempted from the requirements of this section.

[Environmental Comm'n, Engine Emission Control Reg. § 3.9.3, eff. 1-10-78; A 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; A by Environmental Comm'n, 12-26-89; R035-05, 10-31-2005)

NAC 445B.595 Inspections of vehicles owned by State or political subdivisions or operated on federal installations. (NRS 445B.210, 445B.770, 445B.785)

1. Motor vehicles owned by the State or any of its political subdivisions which are provided distinguishing license plates issued by the Department must be inspected and certified annually if they are based in those areas where a program for the inspection of exhaust emissions has been put into effect.

2. Motor vehicles operated on federal installations located within an area requiring a program for the inspection of exhaust emissions must be inspected and certified annually. The provisions of this subsection:

(a) Apply to all motor vehicles which are owned, leased or operated by an employee of, or military personnel stationed at, a federal installation;

(b) Apply to all motor vehicles which are owned, leased or operated by any agency of the Federal Government on a federal installation;

(c) Do not apply to tactical military vehicles operated on a federal installation; and

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~~(d) Do not apply to motor vehicles which are owned, leased or operated on a federal installation by visiting federal employees or military personnel when the visit does not exceed 60 days within any 1 calendar year. A federal installation shall annually submit to the Department evidence showing that it has complied with the provisions of this paragraph, in a form prescribed by the Department.~~

[Environmental Comm'n, Engine Emission Control Reg. § 3.9.4, eff. 1-10-78; 12-20-79]—(NAC A by Environmental Comm'n & Dep't of Motor Veh. & Pub. Safety, 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; A by Environmental Comm'n, 12-26-89; A by Dep't of Motor Veh. & Pub. Safety, 8-19-94; 9-13-95)

NAC 445B.596 Standards for emissions. (NRS 445B.210, 445B.760, 445B.770, 445B.780, 445B.785)

1. Each motor vehicle powered by gasoline with a model year of 1968 to 1995, inclusive, and, with regard to motor vehicles with a model year of 1996 or newer, each heavy-duty motor vehicle powered by gasoline, that is subject to an inspection pursuant to NAC 445B.593, 445B.594 or 445B.595 must not have:

(a) Smoke in its emissions from its exhaust or crankcase when the prescribed procedure for the testing is used.

(b) Carbon monoxide or hydrocarbon, or both, in its emissions from its exhaust in excess of the limits set forth in subsection 3 or 4.

2. The measurements required by subsection 1 must be made with an approved exhaust gas analyzer and under the prescribed procedure. The engine must be at normal operating temperature, but if it has been operating at an idle for more than 5 minutes, it must be purged before the measurement is taken.

3. The following standards apply to light-duty motor vehicles subject to subsection 1:

| Model Year | Maximum CO% | Maximum HC(PPM) |
|------------|-------------|-----------------|
| 1968-1969 | 4.0 | 800 |
| 1970-1974 | 3.5 | 700 |
| 1975-1978 | 2.5 | 500 |
| 1979-1980 | 2.0 | 500 |
| 1981-1995 | 1.2 | 220 |

4. The following standards apply to heavy-duty motor vehicles subject to subsection 1:

| Model Year | Maximum CO% | Maximum HC(PPM) |
|----------------|-------------|-----------------|
| 1968-1969 | 7.0 | 1400 |
| 1970-1978 | 6.0 | 1400 |
| 1979 | 5.0 | 1000 |
| 1980 | 4.0 | 1000 |
| 1981 and newer | 3.5 | 1000 |

[Environmental Comm'n, Engine Emission Control Reg. § 3.8.2, eff. 1-10-78]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-19-85, eff. 1-1-86; 11-19-85, eff. 1-1-87; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-28-88; A by Environmental Comm'n, 12-26-89; 7-5-94; 11-9-95; A by Dep't of Motor Veh. by R178-01, 8-21-2002)

NAC 445B.598 Imposition and statement of fee for inspection and testing; listing of stations and fees. (NRS 445B.785, 445B.830)

1. For inspecting and testing a motor vehicle in accordance with the required procedure, an authorized station or authorized inspection station may charge a reasonable fee but not more than the maximum fee prescribed by the Department pursuant to NAC 445B.599.

2. The Department will not issue a license to such a station pursuant to NAC 445B.460 to 445B.480, inclusive, until the applicant has furnished the Department a written statement of the fee which it will charge for performing the required procedures for inspection and testing.

3. The Department will maintain a list of authorized stations and authorized inspection stations, and their statements of current fees for inspection and testing.

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[Dep't of Motor Veh., Engine Emission Control Reg. §§ 5.1-5.3, eff. 6-19-80]—(NAC A by Dep't of Motor Veh. & Pub. Safety, 8-19-94; 9-13-95)

NAC 445B.599 Prescription and notice of maximum fees for inspections and testing. (NRS 445B.210, 445B.770, 445B.785, 445B.830)

1. The Department will annually prescribe the maximum fees for inspections and testing by authorized stations and authorized inspection stations, and will mail a notice of the applicable maximum fee to each authorized station and authorized inspection station.

2. For each county where a program of inspection and testing of vehicles is in effect, the Department will determine the maximum fee which may be charged for the inspection and for issuing evidence of compliance, by taking 35 percent of the average hourly shop labor rate charged by the authorized stations within the county and rounding the result to the nearest 50 cents.

3. If an authorized station or authorized inspection station is located outside any county where the inspection and testing of vehicle emissions is in effect, the Department will prescribe as the maximum fee for the station the maximum fee of the nearest county where the program is in effect.

[Dep't of Motor Veh., Engine Emission Control Reg. §§ 5.1.2, 5.1.4 & 5.1.5, eff. 6-19-80]—(NAC A by Environmental Comm'n & Dep't of Motor Veh., 10-1-83; 11-23-87, eff. 1-1-88; A by Dep't of Motor Veh. & Pub. Safety, 9-13-95; R079-98, 9-25-98)

NAC 445B.600 Procedure for setting new fee. (NRS 445B.785)

1. An authorized station or authorized inspection station must not put a new fee into effect unless it first submits to the Department a written request that the new fee be listed and receives the Department's acknowledgment.

2. Within 10 days after receiving such a request, the Department will send a written acknowledgment to the authorized station or authorized inspection station.

[Dep't of Motor Veh., Engine Emission Control Reg. § 5.4, eff. 6-19-80]—(NAC A 9-13-95)

NAC 445B.601 Concealment of emissions prohibited. (NRS 445B.210, 445B.760, 445B.770) A person shall not install, construct or use any device which conceals any emission without resulting in a reduction in the total release of air contaminants to the atmosphere.

[Environmental Comm'n & Dep't of Motor Veh. Reg. § 2.2.1, eff. 1-10-78]—(Substituted in revision for NAC 445.944)