

PROPOSED REGULATION OF THE STATE
ENVIRONMENTAL COMMISSION

LCB File No. R106-05

August 29, 2005

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

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

A REGULATION relating to vehicle emissions; revising the provisions governing the operation of certain test stations; and providing other matters properly relating thereto.

Section 1. NAC 445B.460 is hereby amended to read as follows:

445B.460 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 on September 30 of each calendar year.

(b) Is issued on or after 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]~~ *must* 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, when conducting inspections of motor vehicles subject to the provisions of NAC 445B.580, 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, when conducting inspections of motor vehicles subject to the provisions of NAC 445B.589, 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, repair, diagnosis or adjustment to devices that affect exhaust emissions, except:

- (a) The changing of oil;
- (b) The replacement of an oil filter, air filter, fuel filter, belt or hose; and
- (c) With regard to a vehicle with a model year of 1980 or older which has not failed its most recent exhaust emissions test administered in this State:

(1) The replacement of the spark plugs, secondary cables for the spark plugs, distributor cap, rotor, points or condenser of the vehicle; and

(2) The adjustment of the dwell and initial ignition timing of the engine of the vehicle, and the settings for idle speed if those settings are accessible.

5. An authorized inspection station shall not advertise any services which it provides for the testing of exhaust emissions with any services described in paragraph (c) of subsection 4 that the authorized inspection station also provides.

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.

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.

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.

9. A facility that holds a license as an authorized inspection station or class 1 fleet station may perform the servicing of a fuel injection system only by using a method that:

(a) Utilizes a cleaning solvent for the fuel system that is registered as a fuel additive with the United States Environmental Protection Agency in accordance with the requirements of 40 C.F.R. Part 79;

(b) Introduces the cleaning solvent into the fuel tank and no other portion of the vehicle's fuel system or air intake system; and

(c) Does not involve the dismantling, removal or adjustment of any portion of the fuel system or air intake system other than the fuel inlet cap.