

FORM # 1

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION REGULATIONS**

1. Nevada Department of Motor Vehicles
555 Wright Way
Carson City, NV 89711-0400
(775) 687-4670
July 18, 2011

Burel Schulz, Administrator
Division of Compliance Enforcement
(775) 684-4782

2. The Nevada Department of Motor Vehicles is a regulatory agency responsible for implementation of the motor vehicle emissions inspection and maintenance program.
3. Nevada Revised Statutes (NRS) 445B.760 establishes the authority of the State Environmental Commission (SEC) to prescribe standards for emissions from mobile internal combustion engines. The authority under this section includes the authority to provide for the exemption from such standards of a vehicle for which special license plates have been issued to certain older motor vehicles.

SPECIFIC CHANGES:

The NDEP is proposing to amend State regulations for the motor vehicle emissions inspection and maintenance program. Specifically, the proposed amendment to NAC 445B.6125 would exempt vehicles from emissions testing that have been issued special license plates for certain older motor vehicles. The categories receiving the exemption are, Antique Vehicles, Street Rods, Classic Rods, and Classic Vehicles, as defined by NRS 482.381, 482.3812, 482.3814, and 482.3816 respectively. The proposed regulation would allow the exemption to be granted only if the owner certifies that the vehicle was not driven more than 5000 miles annually.

4. **NEED FOR AND PURPOSE:**
The proposed amendments align the regulations with changes recently made in the statute. AB2 was passed by the 2011 Nevada Legislature and requires that an exemption from the emissions testing program be provided to vehicles which are being issued one of these special license plates.

**Class IV Operating Permit
Temporary Regulation P2011-02**

5. ECONOMIC EFFECTS:
 - (a) Regulated Business/Industry. Businesses that register their vehicles with these special license plates in Clark and Washoe Counties will still be subject to paying the \$6.00 emissions certificate fee for the first issuance of the plates, but will not have to pay the inspection service fee. No annual certificate or inspection fees will be charged after the first issuance of the plates. Fees are stipulated in the statute and not addressed in regulation.
 - (b) Public. Members of the public who register their vehicles with these special license plates in Clark and Washoe Counties will still be subject to paying the emissions certificate fee (\$6.00) for the first issuance of the plates, but will not have to pay the inspection fee. No annual certificate or inspection fees will be charged after the first issuance of the plates.
 - (c) Enforcing Agency. There will be no additional staff time required for NDEP to implement the requirements. It will be necessary for DMV to make modifications to registration and emission testing software to accommodate the changes.
6. The proposed regulations do not overlap or duplicate any other state regulation.
7. The proposed amendments are no more stringent than what is established by federal law.
8. The proposed regulations do not address fees, which are specified in the statute.