

Form #1

Petition to Adopt, Amend, or Repeal Commission Regulations

Approved 10-3-1995



NEVADA
STATE ENVIRONMENTAL
COMMISSION

1. Name, address, telephone number, and signature:

Name: Nevada Division of Environmental Protection

Address: 901 South Stewart Street, Suite 4001

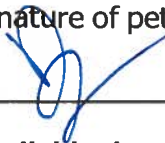
E-mail Address: atucker@ndep.nv.gov

Telephone Number: (775)687-9340

Date of Petition: 6/17/2024

Representative capacity and signature of petitioner, authorized individual, officer or attorney:

Danilo Dragoni – Deputy Administrator

 6/20/24

2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

The Nevada Division of Environmental Protection (NDEP) is a division of the Nevada Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency.

3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

NDEP is proposing to amend Nevada Administrative Code (NAC) 445B by adding language that pertains to Assembly Bill 184 of the 82nd legislative session (Assembly Bill 184) for the Clean Trucks and Buses Incentive Program.

Nevada Revised Statutes (NRS) 445B.210 establishes the authority of the State Environmental Commission (SEC) to adopt regulations consistent with the intent and purpose of NRS 445B.100 to NRS 445B.640, inclusive, to prevent, abate and control air pollution. NRS 445B.760 establishes the SEC's authority to adopt regulations relating to emissions of motor vehicles. Assembly Bill 184 requires that the SEC adopt regulations to carry out the Clean Trucks and Buses Incentive Program.

4. A statement of the need for and purpose of the proposed regulations:

On June 9, 2023, the governor of Nevada signed Assembly Bill 184, creating the Clean Trucks and Buses Incentive Program, which provides voucher incentives for the purchase of zero emission medium- and heavy-duty vehicles, along with various requirements for the Program and other matters relating thereto.

In accordance with Assembly Bill 184, this regulation includes additional requirements necessary for NDEP to effectively administer the program.

5. A statement of the:

(a) Estimated economic effect of the regulation on the business which it is to regulate:

The regulation only regulates businesses that voluntarily participate in the program. The regulation will have a largely positive economic effect on businesses that participate by providing incentives for the acquisition of zero-emission bus and trucks

(1) Both adverse and beneficial effects:

The regulation will incentivize and reduce the cost of zero emission medium- and heavy-duty vehicles, allowing businesses to buy and sell more of these vehicles. Minimal adverse effects are expected because program participation is voluntary, but include reporting requirements and potential scrappage requirements.

(2) Both immediate and long-term effects:

Immediate effects include reducing the cost to acquire newer, better performing vehicles for business operations. Long-term effects include continued fuel cost savings and vehicle maintenance savings.

(b) Estimated economic effect on the public:

Incentives are available to local governments, state agencies and nonprofit organizations, which will have a positive economic effect on these entities. In addition, the adoption of zero emission vehicles will help improve air quality in those areas where the vehicles are driven.

(1) Both adverse and beneficial effects:

The incentives reduce costs of adopting zero emission medium- and heavy-duty vehicles.

(2) Both immediate and long-term effects:

Immediate effects include reducing the cost to acquire newer, better performing vehicles. Long-term effects include continued fuel cost savings and vehicle maintenance savings.

(c) Estimated cost by the agency for enforcement of the proposed regulation:

The administrative costs for the program are expected to be approximately \$180,000 per year with additional costs for incentives, but both will be reimbursed with federal Carbon Reduction Program grant funds, as per Assembly Bill 184.

6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

The Incentive Program utilizes federal Carbon Reduction Program funding (from the Bipartisan Infrastructure Bill). Funds will be passed from the Federal Highway Administration to the Nevada Department Of Transportation to NDEP. As such, the regulation aligns with the Carbon Reduction Program, 23 U.S.C. § 175, requirements.

7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:

Not applicable, the proposed regulation does not include requirements that are more stringent than federal regulations.

8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

Not applicable, the proposed regulatory action does not provide for any new fees or increases to existing fees.

Supporting Documents



When submitting this form, attach a second document to your email with your proposed regulatory language. Include other supporting documents as needed.

