

NRS 445B.770 Regulations of Commission: Control of emissions from motor vehicles; program for inspection and testing of motor vehicles.

1. In any county whose population is 100,000 or more, the Commission shall, in cooperation with the Department of Motor Vehicles and any local air pollution control agency, adopt regulations for the control of emissions from motor vehicles in areas of the county designated by the Commission.

2. In any county whose population is less than 100,000, if the Commission determines that it is feasible and practicable to carry out a program of inspecting and testing motor vehicles and systems for the control of emissions from motor vehicles, and if carrying out the program is deemed necessary to achieve or maintain the prescribed standards for the quality of ambient air in areas of the State designated by the Commission, the Commission shall, in cooperation with the Department of Motor Vehicles and any local air pollution control agency established under [NRS 445B.500](#) which has jurisdiction in a designated area, adopt regulations and transportation controls as may be necessary to carry out the program.

3. The regulations must distinguish between light-duty and heavy-duty motor vehicles and may prescribe:

(a) Appropriate criteria and procedures for the approval, installation and use of devices for the control of emissions from motor vehicles; and

(b) Requirements for the proper maintenance of such devices and motor vehicles.

4. The regulations must establish:

(a) Requirements by which the Department of Motor Vehicles shall license authorized stations to inspect, repair, adjust and install devices for the control of emissions for motor vehicles, including criteria by which any person may become qualified to inspect, repair, adjust and install those devices.

(b) Requirements by which the Department of Motor Vehicles may license an owner or lessee of a fleet of three or more vehicles as a fleet station if the owner or lessee complies with the regulations of the Commission. The fleet station shall only certify vehicles which constitute that fleet.

(c) Requirements by which the Department of Motor Vehicles provides for inspections of motor vehicles owned by this State and any of its political subdivisions.

5. The Commission shall consider, before adopting any regulation or establishing any criteria pursuant to paragraph (a) of subsection 3:

(a) The availability of devices adaptable to specific makes, models and years of motor vehicles.

(b) The effectiveness of those devices for reducing the emission of each type of air pollutant under conditions in this State.

(c) The capability of those devices for reducing any particular type or types of pollutants without significantly increasing the emission of any other type or types of pollutant.

(d) The capacity of any manufacturer to produce and distribute the particular device in such quantities and at such times as will meet the estimated needs in Nevada.

(e) The reasonableness of the retail cost of the device and the cost of its installation and maintenance over the life of the device and the motor vehicle.

(f) The ease of determining whether any such installed device is functioning properly.

(Added to NRS by 1973, 1703; A 1977, 920; 1979, 547; 1981, 1047; 1985, 1992; [2001, 2618](#))

NRS 445B.775 Regulations of Commission: Requirements for licensing of stations by Department of Motor Vehicles. The regulations adopted by the Commission pursuant to [NRS 445B.770](#) must establish requirements by which the Department of Motor Vehicles may license:

1. Authorized inspection stations, including criteria by which any person may become qualified to inspect devices for the control of emissions for motor vehicles. The regulations adopted by the Commission pursuant to [NRS 445B.770](#) must provide that a facility licensed as an authorized inspection station:

(a) Except as otherwise provided in paragraph (b), may not, unless specifically authorized by the Commission, install, repair, diagnose or adjust any component or system of a motor vehicle that affects exhaust emissions.

(b) May perform the following activities in connection with a motor vehicle:

(1) The changing of oil;

(2) The replacing of an oil filter, air filter, fuel filter, belt or hose; and

(3) The servicing of a fuel injection system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

2. Authorized maintenance stations, including criteria by which any person may become qualified to install, repair and adjust devices for the control of emissions for motor vehicles.

3. Authorized stations, including criteria by which any person may become qualified to inspect, repair, adjust and install devices for the control of emissions for motor vehicles.

(Added to NRS by 1993, 2851; A [2001, 2619](#); [2005, 2323](#); [2007, 3232](#))

NRS 445B.776 Application for license must include social security number.

[Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] An application for the issuance of a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles issued pursuant to [NRS 445B.775](#) must include the social security number of the applicant.

(Added to NRS by [1997, 2054](#))

NRS 445B.777 Payment of child support: Statement by applicant for license; grounds for denial of license; duty of Department of Motor Vehicles. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles issued pursuant to [NRS 445B.775](#) shall submit to the Department of Motor Vehicles the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Department of Motor Vehicles shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Department of Motor Vehicles.

3. A license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles may not be issued or renewed by the Department of Motor Vehicles if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department of Motor Vehicles shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2054](#); A [2001, 2619](#))

NRS 445B.778 Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department of Motor Vehicles receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles, the Department of Motor Vehicles shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department of Motor Vehicles receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Department of Motor Vehicles shall reinstate a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles that has been suspended by a district court pursuant to [NRS 425.540](#) if the Department of Motor Vehicles receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2054](#); A [2001, 2620](#))

NRS 445B.780 Program for regulation of emissions from heavy-duty motor vehicles; equipment used to measure emissions; waiver from requirements of program.

1. The Commission shall, by regulation, establish a program for the regulation of smoke and other emissions by inspection of heavy-duty motor vehicles that are powered by diesel fuel or motor vehicle fuel.

2. The Commission shall adopt regulations concerning:

(a) The equipment used to measure smoke and other emissions of heavy-duty motor vehicles.

(b) The granting of a waiver if compliance involves repair and equipment costs which exceed the limits established by the Commission. The Commission shall establish the limits in a manner which avoids unnecessary financial hardship to owners of heavy-duty motor vehicles.

3. As used in this section, "heavy-duty motor vehicle" means a motor vehicle that has a manufacturer's gross vehicle weight rating of 14,001 pounds or more. The term does not include a passenger car.

(Added to NRS by 1991, 2018; A [2003, 599](#); [2009, 1326](#))

NRS 445B.785 Regulations of Department of Motor Vehicles: Licensing of stations; performance of inspection and issuance of evidence of compliance; diagnostic equipment; fee, bond or insurance; informational pamphlet; distribution.

1. The Department of Motor Vehicles shall, in cooperation with the Commission, adopt regulations which:

(a) Prescribe requirements for licensing authorized inspection stations, authorized maintenance stations, authorized stations and fleet stations. The regulations adopted pursuant to this paragraph must provide that a facility licensed as an authorized inspection station:

(1) Except as otherwise provided in subparagraph (2), may not, unless specifically authorized by the Commission, install, repair, diagnose or adjust any component or system of a motor vehicle that affects exhaust emissions.

(2) May perform the following activities in connection with a motor vehicle:

(I) The changing of oil;

(II) The replacing of an oil filter, air filter, fuel filter, belt or hose; and

(III) The servicing of a fuel injection system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

(b) Prescribe the manner in which authorized inspection stations, authorized stations and fleet stations inspect motor vehicles and issue evidence of compliance.

(c) Prescribe the diagnostic equipment necessary to perform the required inspection. The regulations must ensure that:

(1) The equipment complies with any applicable standards of the United States Environmental Protection Agency; and

(2) Use of the equipment is specifically authorized by the Commission.

(d) Provide for any fee, bond or insurance which is necessary to carry out the provisions of [NRS 445B.700](#) to [445B.815](#), inclusive.

(e) Provide for the issuance of a pamphlet for distribution to owners of motor vehicles. The pamphlet must contain information explaining the reasons for and the methods of the inspections.

2. The Department of Motor Vehicles shall issue a copy of the regulations to each authorized inspection station, authorized maintenance station, authorized station and fleet station.

(Added to NRS by 1977, 919; A 1979, 1034; 1985, 1993; 1993, 2857; [2001, 2620](#); [2005, 2323](#); [2007, 3233](#))

NRS 445B.790 Regulations concerning inspection of stations; grounds for denial, suspension or revocation of license of inspector or station.

1. The Department of Motor Vehicles shall, by regulation, establish procedures for inspecting authorized inspection stations, authorized maintenance stations, authorized stations and fleet stations, and may require the holder of a license for an authorized inspection station, authorized maintenance station, authorized station or fleet station to submit any material or document which is used in the program to control emissions from motor vehicles.

2. The Department may deny, suspend or revoke the license of an approved inspector, authorized inspection station, authorized maintenance station, authorized station or fleet station if:

(a) The approved inspector or the holder of a license for an authorized inspection station, authorized maintenance station, authorized station or fleet station is not complying with the provisions of [NRS 445B.700](#) to [445B.815](#), inclusive.

(b) The holder of a license for an authorized inspection station, authorized maintenance station, authorized station or fleet station refuses to furnish the Department with the requested material or document.

(c) The approved inspector has issued a fraudulent certificate of compliance, whether intentionally or negligently. A “fraudulent certificate” includes, but is not limited to:

- (1) A backdated certificate;
- (2) A postdated certificate; and
- (3) A certificate issued without an inspection.

(d) The approved inspector does not follow the prescribed test procedure.

(Added to NRS by 1977, 919; A 1979, 1034; 1985, 1994; 1993, 2857; 1995, 94; [2001, 2620](#); [2003, 1412](#))

NRS 445B.795 Compulsory program for control of emissions: Limitations.

The authority set forth in [NRS 445B.770](#) providing for a compulsory inspection program is limited as follows:

1. In a county whose population is 100,000 or more, the following categories of motor vehicles which are powered by motor vehicle fuel or special fuel and require inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#) are required to have evidence of compliance upon registration or reregistration:

- (a) All passenger cars;
- (b) Light-duty motor vehicles;
- (c) Heavy-duty motor vehicles that are powered by diesel fuel and have a manufacturer’s gross vehicle weight rating which does not exceed 14,000 pounds; and
- (d) Heavy-duty motor vehicles that are powered by motor vehicle fuel or special fuel, excluding diesel fuel.

2. In areas which have been designated by the Commission for inspection programs and which are located in counties whose populations are 100,000 or more, all used motor vehicles which require inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#) are required to have evidence of compliance upon registration or reregistration.

3. In designated areas in other counties where the Commission puts a program into effect, all used motor vehicles which require inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#) are required to have evidence of compliance upon registration or reregistration.

4. The board of county commissioners of a county containing a designated area may revise its program for the designated area after receiving the approval of the Commission.

5. Before carrying out the inspections of vehicles required pursuant to the regulations adopted by the Commission pursuant to [NRS 445B.770](#), the Commission shall, by regulation, adopt testing procedures and standards for emissions for those vehicles.

(Added to NRS by 1975, 1408; A 1977, 921; 1979, 989; 1981, 1046; 1983, 1363; 1991, 2019; 1995, 95; [2003, 600](#); [2009, 1327](#))

NRS 445B.798 Authority of Department of Motor Vehicles, in larger counties, to conduct test of emissions from motor vehicle being operated on highway. In a county whose population is 100,000 or more, the Department of Motor Vehicles may conduct a test of the emissions from a motor vehicle which is being operated on a highway in that county to determine whether the vehicle complies with the provisions of [NRS 445B.700](#) to [445B.845](#), inclusive, and the regulations adopted pursuant thereto.

(Added to NRS by 1995, 2353; A [2001, 2621](#))

NRS 445B.800 Evidence of compliance: Requirements for registration, sale or long-term lease of used vehicles in certain counties.

1. Subject to any applicable limitation of [NRS 445B.700](#) to [445B.815](#), inclusive, and any regulation adopted pursuant thereto, no used motor vehicle which requires inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#) may be registered unless the application for registration is accompanied by evidence of compliance issued by any authorized inspection station, authorized station or fleet station certifying that the vehicle is equipped with devices for the control of pollution from motor vehicles required by federal regulation or such other requirements as the Commission may by regulation prescribe under the provisions of [NRS 445B.700](#) to [445B.845](#), inclusive.

2. If:

(a) A seller of a used vehicle is required to complete a dealer's report of sale pursuant to the provisions of [NRS 482.424](#); or

(b) A long-term lessor of a used vehicle is required to complete a long-term lessor's report of lease pursuant to the provisions of [NRS 482.4245](#),

È the seller or long-term lessor shall also provide the buyer or long-term lessee with any evidence of compliance required pursuant to subsection 1, and shall deliver that evidence of compliance to a used vehicle buyer together with the dealer's report of sale issued pursuant to [NRS 482.424](#) or [482.4245](#), indicating that the used vehicle purchased or leased meets the engine emission standards for the year, make and model of the used vehicle as established by regulation pursuant to [NRS 445B.770](#).

3. A seller or long-term lessor of a used vehicle is not entitled to a waiver of the provisions of subsection 2.

4. The requirements of this section apply only:

(a) To passenger cars and light-duty motor vehicles which use diesel fuel and are based in a county whose population is 100,000 or more; and

(b) In counties where a program of inspecting and testing motor vehicles and systems for the control of emissions from motor vehicles has been implemented pursuant to [NRS 445B.770](#).

(Added to NRS by 1973, 1703; A 1975, 1074, 1407; 1977, 921; 1991, 2020; 1993, 1395, 2858; 1995, 95, 727, 2353; [2007, 3233](#))

NRS 445B.805 Evidence of compliance: Exemptions from requirements. The provisions of [NRS 445B.800](#) do not apply to:

1. Transfer of registration or ownership between:

(a) Husband and wife; or

(b) Companies whose principal business is leasing of vehicles, if there is no change in the lessee or operator of the vehicle.

2. Motor vehicles which are subject to prorated registration pursuant to the provisions of [NRS 706.801](#) to [706.861](#), inclusive, and which are not based in this State.

3. Transfer of registration if evidence of compliance was issued within 90 days before the transfer.

(Added to NRS by 1973, 1704; A 1977, 922; 1979, 568; 1985, 1994; 1995, 96)—
(Substituted in revision for NRS 445.650)

NRS 445B.810 State Department of Conservation and Natural Resources to provide assistance. In furtherance of the provisions of [NRS 445B.700](#) to [445B.845](#), inclusive, and the enforcement thereof, the State Department of Conservation and Natural Resources shall consult with the Department of Motor Vehicles and furnish it with technical information, including testing techniques, procedures for quality assurance

and standards adopted by the Commission, and instruction for emission control features and equipment.

(Added to NRS by 1973, 1704; A 1973, 1406; 1977, 922, 1038, 1143; 1985, 1994; [2001, 2621](#))

NRS 445B.815 Evidence of compliance: Duty of employees and agents of Department of Motor Vehicles; submission by owner or lessee of fleet.

1. Except as otherwise provided in subsection 2, persons employed at branch offices of the Department of Motor Vehicles and the offices of county assessors who are acting as agents of the Department in the collection of fees for registration shall not register:

(a) A passenger car or light-duty motor vehicle which:

(1) Uses motor vehicle fuel or special fuel;

(2) Is based in a county whose population is 100,000 or more; and

(3) Requires inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#);

(b) A heavy-duty motor vehicle having a manufacturer's gross vehicle weight rating which does not exceed 14,000 pounds, that:

(1) Uses diesel fuel;

(2) Is based in a county whose population is 100,000 or more; and

(3) Requires inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#);

(c) A heavy-duty motor vehicle that:

(1) Uses motor vehicle fuel or special fuel, excluding diesel fuel;

(2) Is based in a county whose population is 100,000 or more; and

(3) Requires inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#); or

(d) A vehicle which:

(1) Is based in an area of this State designated by the Commission; and

(2) Requires inspection pursuant to the regulations adopted by the Commission under [NRS 445B.770](#),

Ê until evidence of compliance with [NRS 445B.700](#) to [445B.845](#), inclusive, has been provided.

2. An owner or lessee of a fleet of three or more vehicles may, upon application to the Department of Motor Vehicles, submit evidence of compliance for those motor vehicles in a manner determined by that Department.

(Added to NRS by 1973, 1704; A 1977, 922; 1985, 1995; 1991, 2020; 1995, 96; [2001, 2621](#); [2003, 601](#); [2009, 1327](#))

NRS 445B.820 Installation and inspection of pollution control device. Any person may install a motor vehicle pollution control device, but no person who is not employed by an authorized maintenance station, authorized station or fleet station may install a device for compensation. No such device shall be deemed to meet the requirements of [NRS 445B.770](#) to [445B.815](#), inclusive, or regulations of the Commission or Department unless it has been inspected in an authorized inspection station, authorized station or fleet station, and evidence of compliance has been issued by that station.

(Added to NRS by 1973, 1704; A 1977, 922; 1993, 2858)—(Substituted in revision for NRS 445.680)

NRS 445B.825 Exemption of certain classes of motor vehicles and hybrid electric vehicles; waiver from provisions of [NRS 445B.770](#) to [445B.815](#), inclusive.

1. The Commission may provide for exemption from the provisions of [NRS 445B.770](#) to [445B.815](#), inclusive, of designated classes of motor vehicles, including, without limitation, classes based upon the year of manufacture of motor vehicles.

2. A hybrid electric vehicle, as defined in 40 C.F.R. § 86.1702-99, is exempt from the provisions of [NRS 445B.770](#) to [445B.815](#), inclusive, until the model year of the vehicle is 6 years old.

3. The Commission shall provide for a waiver from the provisions of [NRS 445B.770](#) to [445B.815](#), inclusive, if compliance involves repair and equipment costs which exceed the limits established by the Commission. The Commission shall establish the limits in a manner which avoids unnecessary financial hardship to motor vehicle owners.

(Added to NRS by 1973, 1704; A 1977, 923; [2007, 779](#))