

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF MOTOR VEHICLES**

LCB File No. R010-16

January 29, 2016

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

AUTHORITY: §1, NRS 481.051 and 482.160.

A REGULATION relating to the control of emissions from engines; revising the requirements for registration of a motor vehicle temporarily being used and maintained in another state; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth certain measures for the control of emissions from engines by the State Environmental Commission and the Department of Motor Vehicles. (NRS 445B.700-445B.845) Existing law also: (1) requires the Director of the Department of Motor Vehicles to adopt such regulations as the Director deems necessary for the operation of the Department and the enforcement of all laws administered by the Department; and (2) authorizes the Director to adopt and enforce such administrative regulations as are necessary to carry out statutory provisions governing the licensing, registration, sales and leases of motor vehicles and trailers. (NRS 481.051, 482.160)

Existing regulations require the owner of a motor vehicle whose vehicle is temporarily being used and maintained in another state but which is subject to registration in this State to submit with his or her application for registration or renewal of registration either proof of compliance with the required emissions standards in the state where the vehicle is located or a waiver from such testing, if applicable, in that state. Existing regulations further authorize the Department, after giving notice and an opportunity for a hearing, to suspend or cancel the vehicle registration of a registered owner of a motor vehicle who fails to comply with this requirement. (NAC 445B.5915)

This regulation requires the proof of compliance or waiver from compliance to be issued not more than 90 calendar days before the date that the owner of the motor vehicle submits his or her application for registration or renewal of registration.

Section 1. NAC 445B.5915 is hereby amended to read as follows:

445B.5915 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 or her 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. *The proof or waiver, as applicable, described in subsection 1 must have been issued not more than 90 calendar days before the date that the owner of the motor vehicle submits his or her application for registration or renewal of registration.*

3. 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.