



**Minutes of Advisory Committee on
Control of Emissions from Motor Vehicles**

Held on July 14, 2015 at 1:30 pm

by Videoconference **from the** Nevada Division of Environmental Protection

4th Floor Great Basin Conference Room

901 South Stewart Street

Caron City, NV 89701

to the Nevada Division of Environmental Protection

Red Rock Conference Room

2030 E. Flamingo Rd. Ste. 230

Las Vegas, NV 89119

These minutes are prepared in compliance with NRS 247.035. Text is in summarized rather than verbatim format. For complete contents, please refer to meeting tapes on file at the Nevada Department of Motor Vehicles.

**THIS MEETING WAS PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS ON
APRIL 09, 2015**

Department of Motor
Vehicles
555 Wright Way
Carson City, NV. 89711

Nevada
State Library
100 N. Stewart St.
Carson City, NV. 89701

Department of Motor
Vehicles
2701 E. Sahara
Las Vegas, NV. 89104

Clark County Department
of Air Quality
Management
500 Grand Central Pkwy
Las Vegas, NV. 89106

Department of Motor
Vehicles
305 Galletti Way
Reno, NV. 89512

Washoe County District
Health Department
1001 E. 9th St.
Reno, NV. 89512

Department of Motor
Vehicles Website
www.dmv.nv.com

1. Call to Order by the Chairman

Chairman Sig Jaunaraajs called the meeting of the Advisory Committee on Control of Emissions from Motor Vehicles to order at 1:30 pm.

2. Roll Call

MEMBERS:	Representing	Present	Primary	Alternate	Voting
Rodney Langston	CC/DAQEM	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Russell Merle	CC/DAQEM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Sword	CC/DAQEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Tekniepe	CC/DAQEM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shannon Rudolph	NDOA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Striejewske	NDOA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

MEMBERS:	Representing	Present	Primary	Alternate	Voting
Ivie Hatt	DMV/CED	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Glenn Smith	DMV/CED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jack Little	DMV/CED	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Robin Roques	DMV/CED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vacant	NDOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	NDOT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sig Jaunarajs - Chairman	NDEP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joseph Perreira	NDEP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Phillip Shoopman	NDEP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sarah Hills	NDEP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeffrey Buss	U.S. EPA: Region 9	<input type="checkbox"/>		Ex Officio	
Julie Hunter	WC-AQMD	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Inouye	WC -AQMD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Charlene Albee	WC-AQMD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Yann Ling Barnes	WC-AQMD	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Public Introductions

INTERESTED PARTIES:

	Representing:
Laurie Vandebroke	DMV/CED
Louis Lanuza	DMV/CED
Sarah Arrington	DMV/CED
John Roscoe	DMV/CED
Maritza Carvajal	DMV/CED
Eric Hasty	NDEP/BAQP
Peter Krueger	NV Marketers
Nick Vander Poel	Capital Partners
Mary Carbajal	DMV/CED
Lou Gardella	Jiffy Smog
John Pietrzycki	Smog Hut
Steven Weiss	Smog Hut

4. Public Comments.

Q: Peter Kruger, with Nevada Marketers: On behalf of the industry, we are asking that a member of the industry be included as part of the I/M Committee, especially now that there will be a review/study of the entire emissions program. It is the emission testers who have the day to day contact with the public. When speaking to Director Dillard in regards to this, he stated that he would leave it up to the I/M Committee members.

A: Sig Jaunarajs, with Nevada Department of Environmental Protection: The Nevada Administrative Code specifies who is on this committee, and that portion of the NAC is under DMV’s regulatory authority. So, ultimately you’d have to petition DMV to change the make-up of the committee. I will open it up to the committee if we want to come back and have an agendized

item for *possible action* to discuss this and possibly make a recommendation or not. I believe you are right; we do not have a smog check program without the men and women of all the smog check stations. We want your input.

5. Approval of Agenda.

The Agenda was approved in the order that it was prepared.

6. Approval of Minutes from 04/18/2015 Advisory Meeting.

The Chairman opened up the April 18, 2015 meeting minutes for discussion and approval, and the Committee approved the minutes with the following requested amendments:

- A. Page 4 on Mike Swords comment at the bottom the ozone trend increasing by 1 PPD should be PPB (parts per billion) rather than PPD.
- B. Page 3 in Director Dillard's comments, Assemblywoman Kirkpatrick is referred to as Senator Fitzpatrick, should be Assemblywoman Kirkpatrick.

7. Review of Legislative Bills – SB 386, AB 326 and AB 146

Sig Jaunarajs, with Nevada Department of Environmental Protection: Briefly went over what happened on the three bills that had some impact on the smog check program.

- A. **SB 386** - This bill would have required inspection stations to either inform motorists or display a sign informing motorists that a vehicle will not pass the inspection if the malfunction indicator lamp was illuminated at the time of the test. **SB 386 did not pass out of committee.**
- B. **AB 326** - This bill would have halted the issuance of the special Classic Vehicle license plate for 1996 and newer vehicles as a way to prevent the abuse of the intent of those special vehicle plates by motorists that were attempt on avoiding an emissions test. **AB 326 was vetoed by Governor Sandoval, who stated that "Although this bill has merit in that it attempts to curb the abuse of these special plates by individuals purely seeking to avoid emissions testing fees issuing a two (2) year moratorium in these plates unnecessarily, penalizes true Nevada car enthusiast who might seek one of these plates for proper reasons. This heavy handed approach is opposed by the specialty equipment market association known for its annual trade show in Las Vegas as well as Hot August Nights, whose members and affiliates would be unfairly punished by this measure".**
- C. **AB146** – This bill went through several revisions; beginning as a measure to change the testing program to a biennial program, it was then amended to eliminate testing of 1995 and older vehicles essentially making our testing program an OBD 2 only program, and in its final form the bill requires the IM committee to conduct a study of the program and make recommendations. **"The Advisory Committee on the Control of Emissions from Motor Vehicles shall conduct a study concerning the inspection and testing of motor vehicles and systems for the control of emissions for motor vehicles in this state. On or before June 30th,**

2016, the Committee shall submit a report of the results of the study conducted pursuant to subsection 1 and a proposal for an updated and modernized plan for such inspection and testing to the Director of the Legislative Counsel Bureau for transmittal to the Chairs of the Senate and Assembly Standing Committees on Transportation.”

8. Creation of a Sub-Committee for Modernization of the I/M program per AB 146

Charlene Albee, with Washoe County Health District, Air Quality Management Division: Stated that AB146 was looking at the operations of the smog check program, not at the actual implementation of it. She would support that Clark County, Washoe County and NDEP as the three air agencies be on the committee, and DMV as the administrator of the committee. Just as an additional note, Clark County and Washoe County did both get opinions from the district attorneys and the subcommittee will be subject to the Open Meeting Law, so thereby the interested parties being our testing association would be invited to participate so that they could be involved in the discussion and development.

Sig Jaunarajs, with Nevada Department of Environmental Protection: Confirmed that these meetings will be held as public meetings, thus following the Open Meeting Law, and making sure that the public have an opportunity to comment on what was being discussed.

Q: Peter Krueger, with Nevada Marketers: Would like to ask that the I/M Committee consider a member of industry for a position on the subcommittee.

A: Sig Jaunarajs, with Nevada Department of Environmental Protection: I will open that to the I/M Committee.

- **Mike Sword**, with Clark County Air Quality: Stated that there was no need for a person from the industry to be on the subcommittee especially since it's an open meeting where they can make comments and open dialogue with one of the subcommittee's member.
- **Charlene Albee**, with Washoe County Health District, AQMD: Agreed with Mike Swords' comment that the primary focus needs to be air quality because I/M is an emissions reduction program. The open meeting law and understanding the contribution from the public is very important and that takes that into account. We would still have the input and discussion with the testers and they are encouraged to be at the meetings.
- **Peter Krueger**, with Nevada Marketers: I don't necessarily disagree with that. The only thing I would ask is that all correspondence and stuff that relates to the subcommittee then be made available on a website, on a mailing list or something of that nature.
- **Ivie Hatt**, with Nevada Department of Motor Vehicles: Stated that it would still hold the same open meeting law. It would all be on the department website and then in the public notification. Except for the minutes which are not published until they are approved by this committee.

- **Charlene Albee**, with Washoe County Health District, AQMD: Recommend that we continue to announce the way it's announced now and noticed, and if there is a problem with industry getting the message that maybe we would rely on the industry organizations to pass the word.

Sig Jaunarajs, with Nevada Department of Environmental Protection: Opened a motion on setting the membership for the sub-committee to include these four agencies; Clark County Department of Air Quality, Washoe County Air Quality Management Division, Nevada Department of Environmental Protection and Nevada Department of Motor Vehicles.

Phillip Shoopman, with Nevada Department of Environmental Protection: Made the motion to the members of the committee to consider; Sig Jaunarajs or his designee, Charlene Albee or her designee, Ivie Hatt or her designee, and Mike Sword or his designee to be on the sub-committee.

Sig Jaunarajs, with Nevada Department of Environmental Protection: Motion was carried and the subcommittee was created to look into the requirements of AB 146. He also stated that part of this report should have a section on the history of how we got to where we are today. Then, look at the current and upcoming air quality issues, especially the change in the ozone standard which will be announced by the federal government in October and keeping in mind the major elements of the program. This will be critical to what kind of program is needed. The input of the smog check industry will be needed, as they will be affected.

Charlene Albee, with Washoe County Health District, AQMD: Agrees with the recommendation and thinks this would give direction as to what the product is that ultimately would be present to the LCB.

Sig Jaunarajs, Committee Chairman: Motion was carried to have the subcommittee meet on July 28th at 1:30.

9. Public Comments. Updates on LCB File No. R018-15 relating to vehicle emissions

- A. **Ivie Hatt**, with Nevada Department of Motor Vehicles: Stated that recommendations were received from NDEP to update this regulation. Public workshops and hearings will be held as follows: workshop will be on September 2, 2015 and the hearing will be on September 3, 2015.
- B. **Sig Jaunarajs**, Committee Chairman: Stated that this program is based largely on EPA's guidance on how to set up an emission program, including how vehicles on a federal facility site are tested. The NAC currently reads that on federal installations, vehicles that are owned by private individuals who are working on a federal installation must have their vehicle tested even if they are here for a temporary time period. The EPA was challenged on this issue and EPA Region 9 received a directive from the US Department of Justice that its regulation/requirement goes beyond what it would require of private individuals and private businesses. We are asking that DMV take that portion out. If someone does come here and becomes a permanent resident, then they would still have to have their vehicle emission tested. Temporary work assignment people will not have to have their vehicle tested.

10. Informational Item(s)

No informational items at this moment.

11. Public Comments

No public comments at this moment.

12. Next Meeting and Adjournment.

A. The next I/M Advisory Committee meeting is set for Tuesday October 13th, 2015. At 1:30 pm.

B. The meeting adjourned at 2:38 pm.