



**Minutes of Advisory Committee on
Control of Emissions from Motor Vehicles**
held on April 05, 2006 at 11:00 am
at the Nevada Department of Environmental Protection Agency
4th Floor, South Conference Room, 901 South Stewart St. Carson City, NV. 89701

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 MARCH 16, 2006.**

DMV 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. 9 th St. Reno, NV. 89512	DMV Website www.dmvnv.com	

1. Call to Order

- A. Chairman Andrew Goodrich called to order the meeting of the Advisory Committee on Control of Emissions from Motor Vehicles at 11:10 am.
- B. Committee introductions took place along with the public that was present.

MEMBERS PRESENT:

Andy Goodrich, WC-AQMD – Chairman
Dennis Ransel, CC-DAQEM
Glenn Smith, DMV/CED
Jennifer Carr, NDEP
Leif Anderson, NDOT
Lloyd Nelson, DMV/CED
Robert Tekniepe, CC-DAQEM
Sig Jaunarajs, NDEP-BAQ
Steven Grabski, DAG

MEMBERS ABSENT:

Cheng Shih, CC-DAQEM
Chet Sergent, NDEP
Connie Anderson, TMRP
Daryl James, TMRP
Dennis Taylor, NDOT
John Koswan, CC-DAQ
Roxanne Johnson, USEPA - Ex-Officio
Vernon Miller, DAG

INTERESTED PARTIES:

Debbie Shope, DMV/CED
Lothar Geilen, Sys Tech International
Ralph Felices, DMV/CED
Randy Tackett, NFADA
Troy Dillard, DMV/CED

2. Approval of the Agenda

- A. There has been discussion between Andy and Ivie on this particular item. The intent behind this agenda item is to better accommodate the public present at the meetings. If there is an item on the agenda that a member of public would like to comment on it may be taken out of order and moved to the top of the agenda at this time. The Committee approved the agenda without any changes.

3. Public Comment

- A. Andy addressed the public in attendance notifying them of a situation the Committee had encountered a couple of meetings ago. The issue was a gentleman had to wait through an entire meeting before the agenda item he had interest in came up. Andy feels that this Committee needs to be more accommodating to those members of the public that are present without pay.

4. Approval of 10/20/2005 & 01/17/06 Meeting Minutes

- A. Glenn Smith with DMV addressed the Committee on an agenda item found in the October 20th 2005 I/M Committee Meeting minutes. Glenn stated that the OBD II Waivers were placed on the agenda at his request and unfortunately, he was unable to attend the meeting to discuss his concerns. As a result of that meeting, the Committee voted to not institute a waiver program for the OBD II programs based on the knowledge that was presented to them at that time.

- B. Glenn reviewed the EPA guidelines and there are some for waivers, but there is nothing specific that gives a clear yes or no on the issuance of OBD II waiver that he was able to find. He also understands Clark Counties position with their SIP, but when he researched the SIP on the Internet he was unable to find anything with regards to waivers of OBD II Vehicles. Glenn has also contacted California and although they have a different test procedure they do allow for a one-year waiver. California is not the only state that has a procedure for these waivers, based on the October minutes there are 11 other states identified.
- C. Dennis Ransel with Clark County stated that when Greg Cole spoke for not having the waiver when this agenda item was brought before the board. When Greg addressed the waivers there were no issues with the South. Clark County agreed with Greg that the no waiver process is a better way to go, however they are not opposed to the waiver system. They would like to have a better idea of what it is and how it would affect the county. Clark County does have a SIP in place, which drives their requirements. They need to ensure that anything they are doing is in accordance with the SIP.
- D. Glenn stated that in the past year the North issued 81 OBD waivers to customers. The Department has been in compliance with Regulation because under NRS it does state that based on a hardship the State will grant a waiver, however, under NAC it only provides for a 2-speed tail pipe test waiver.
- E. Glenn stated that he felt that doing away with OBD II waivers would be discrediting the program more than strengthening it. Glenn stated that with the OBD II waivers the Department will also have a way of funneling the customers to 2G authorized repair stations. The technicians that work at the authorized 2G stations have to go through training for diagnosing vehicles and pass a really rough test. They must prove to the State that they know how to test and/or repair the vehicle.
- F. Andy Goodrich interjected notifying Glenn that the Committee is off track. Andy relayed to Glenn that he did appreciate that he felt very strongly about the waivers, however the agenda item at hand is the approval of the minutes. Referring back to the minutes, under that item the Committee agreed that they were not going to pursue waivers at that point in time. There was no change to NAC or NRS as a result of that decision. This may be an issue that needs to go to the DMV's council if he is working with them to amend the law. Andy does feel that his concern warrants bringing the waiver issue back to the Committee again for further discussion, however Glenn will need to be present at that meeting. Andy requested to have the waivers added to the next meeting agenda. An invitation will also need to be extended to Greg Cole in Las Vegas for the hearing of both sides of the issue.
- G. There were no other comments on the minutes themselves. The Committee approved the October meeting minutes without any changes.
- H. Minutes of January 17th 2006 were approved with one minor correction to Page 1, Section 4, Subsection A., Grammatical correction needs to be made, change "Excessive Reserve" to "Excess Reserve".

5. Update on NAC Regulation Amendments – In progress

A. Lloyd Nelson with the Department of Motor Vehicles gave an update of the amendments the Department is working on in Chapter 445B of NAC.

- ***Adopted LCB File R066-05*** – Dealing with training of inspectors and the enforcement areas. The Amendments made to:
 - Section 1 - The access codes that are used by the emission inspectors to access the test procedure on the analyzer are unique and confidential pin codes. They are not to be shared.
 - Section 2 - Licensing of inspectors. It is now in regulation if an inspector carries the Automotive Service Excellence LI Advanced Engine Performance Certification the Department may use it in place of the inspector taking the State provided test. This certification will remain valid for the two-year period of the license.
 - Section 3 - Process of administering exams. There is no longer a waiting period for re-testing. The individual will now need to go through re-training if they have failed an exam two times.
 - Sections 6 & 7 – Refers to the Regulatory tools that the Department will have if someone does egregious acts. They now may have their license revoked for life.

- ***Adopted LCB file R135-05*** – Refers to the I/M Advisory Committee.
 - Section 1 – The Agricultural Department has been added. This has raised the Permanent members of the Committee Board to 11.
 - Section 6 & 7 - Deals with grant requests. Amendments have been made to the time frame of the next scheduled I/M meeting after the grant requests have been submitted. A time frame of two fiscal years has also been made for grants that are in process. Amendments have also been made for the submitting of quarterly grant reports to the Department.

- ***In process – LCB File R065-05, NAC 445B.460***; Revision of certain provisions governing operation of certain test stations. This addresses the scope of pass/fail that 1G stations do.
 - The wording was changed to ensure that a 1G inspector does not erase codes when performing services. This has an effective date of July 1st.

- ***In Process – LCB File R068-05*** – Revisions of certain provisions governing the control of emissions.
 - Section 7 - Amended to read an authorized inspection station shall provide a list of 2G stations to a customer who fails an emission test. The Department will provide and make available a list of authorized 2G stations to all authorized inspection stations and authorized station in the state by having a Department representative provide a copy of the list to a test station in conjunction with its monthly audit conducted and by posting and updating, at least twice monthly, an electronic copy of the list on the Department’s website.

- Section 6 - The Department has proposed to up the load and speed specifications for LDD program and apparently that may have some impact on some of the test equipment out there. It has been discussed before the Committee that the speed specifications are unrealistically low and they really do not put any stress on the engine. We have a dyno manufacture looking into this issue further because we are proposing a maximum load of 100 horsepower and they are stating that they are only good for a maximum load of 75. Anything over that will cause damage. The Department is still looking into this right now.
- ***In Process - R050-06*** - Relating to motor vehicles; revising provisions governing exhaust gas analyzers that are used to perform inspections of certain motor vehicles at test stations; and providing other matters properly relating thereto.
 - This will be an upgrade to the NV2000 emission analyzer. In 2008 for LDD vehicles there is going to be one computer protocol called CAN (Controlled Area network) currently there are incidences where customers are going in to have their 2003 and 2004 vehicles tested and a no communication is received because the equipment at the station has not been upgraded. The upgrade to the equipment is \$1,200.00 for the hardware and most of the stations in Reno have already voluntarily upgraded. This upgrade will be mandatory. It will require all of the stations to be up and running with the new hardware by September of this year. The Department does have workshops and hearings scheduled for April 24th in Reno and April 26th in Las Vegas.

B. All LCB files may be viewed on the Legislative website.

C. Sig Jaunarajs with the Nevada Departmental of Environmental Protection Agency (NDEP) requested that the Department of Motor Vehicles provide copies of the Regulation changes made under the Emissions Program to Adele Malone with NDEP for the updating of the State I/M SIP.

6. Status Report on Alternative Fuels

- A. Debbie Shope with the Department of Motor Vehicles updated the Committee on the progress of testing alternative Fuel Vehicles. There was a possible 9 found in the Washoe County area and they were all tested. All 9 of the vehicles tested came out the same and they were fine. There are a few in Clark County but Debbie has not had the opportunity to go down and test those. Debbie stated that she is having a hard time finding these alternative fuel vehicles. They are becoming discontinued. Currently, only Honda is making Alternative vehicles and those vehicles are what were found in Washoe but even those are going to be changed out to the E85's. We are starting to see that the natural gas is fading. Everyone is switching over to the RFG, bio-diesels, hybrids and E85's and all of these vehicles fall under the program.
- B. Currently the Department is trying to collect data and determine where the alternative fuel vehicles are coming up in the emissions program. The intent then was to go to the sponsor of the bill with the data collected. The Department does not feel that they are at

the stage of going back to the bill sponsor. They are going to continue the process of collecting data to see what is out there even though they are having a hard time finding the fleets.

- **Q.** Sig Jaunarajs - In a previous meeting Lloyd Nelson with DMV introduced some data on private ownership of alternative fuel vehicles. The data showed that there were a few hundred alternative fuel vehicles in each county and they were not EX plates. Is the Department in the process of tracking those vehicles down to see if those were vehicles that were purchased at auction by a individual and they now only run gasoline and the CNG has been torn out of them? On one hand I am hearing that there is not that many vehicles out there to test, yet there was data that was showing hundreds out there. I am just pointing out that the Nevada Motor Transport may bring this up.
 - **A.** Troy Dillard – There is an additional 125 vehicles that may be added to the data for Clark County. Greg Cole tested those vehicles. There is however coding issues on how they got coded when they were entered into the DMV application.
 - **A.** Lloyd Nelson – It is also possible that those are the older cars and they can be cleared off of the data if they have never been tested.
 - **A.** Dennis Ransel - It was at the last meeting that Lloyd was going to get that information and evaluate it. Once he had evaluated the data, he would then talk to the industry and see if there was any interest in the testing. This is where we are today. Testing has started and data is being collected so that we have a good scope of what is going on out there. The future of CNG is not there. Clark County does not have any fleets in the Las Vegas area that are going to continue to purchase these vehicles because they are not available anymore.
- C. The status of the alternative fuels testing will need to remain on the agenda as a continuing agenda item in order to keep the Committee updated on the status. Lloyd was requested to come back with the numbers of the vehicles in the two counties.
- **Q.** Andy Goodrich - Troy do you feel that we should provide something to Daryl with the Nevada Motor Transport on this topic in the interim.
 - **A.** Troy Dillard - I feel that we need to continue to collect the data right now. Notification can certainly be made to Daryl that we are in the phase of testing vehicles to gather data for the next step.

7. Update on the pollution control fund

- A. Since this meeting is being held so soon after the quarter there was no exact amount available on the general ledger for Lloyd to report on the dedicated. In the past the meetings have been scheduled late enough in the month that the Department is able to see what the disbursement is going to be for the third quarter. Troy Dillard estimated that the

dedicated will be roughly 5% more than it was last year. He was not certain if there was a difference between Washoe and Clark County percentage wise, but statewide it is about 5% more on the dedicated.

8. Discussions and Hearing of Excess Reserves for Washoe & Clark County

- A. Clark County is taking a different approach to applying for grants this year. In the past Clark County has experienced quite a few struggles with trying to get their budget system to match up with the grant system. Currently, they are both running on different cycles. Robert Tekniepe researched NAC 445B while compiling this years grant request. He feels that the requirements as laid out in the newly revised NAC have been met. Instead of trying to match up a specific dollar amounts with a specific projects, Clark is requesting \$660,000.00 be approved by the board for total project expenses. The resources if approved by the board will be plugged into a total budget amount and how they are allocated towards projects will be done internally. This will give Clark more flexibility to allocate monies against programs and not have to worry about extending grant contracts. Clark County is aware that they are going a little broad up front with the requests for the monies but they feel that in the end on quarterly basis they will be able to report exactly where the monies were spent.
- B. The application that Clark County is submitting refers to the types of programmatic areas they are working with. There is an Attachment A, which describes how they plan to use the money and there is an Objective Section that describes what they are doing.
- C. Sig Jaunarajs noticed that in the original application there is a \$10,000.00 discrepancy. Clark Counties application is for \$650,000.00. This was a typo and it will be corrected. The requested amount is for \$660,000.00.
- D. The Committee moved that the Clark County application for grants in the excess reserve fund as presented in the amount of \$660,000.00 be approved. All were in favor.
- E. Andy Goodrich with Washoe County wanted to express that he wholeheartedly supports what Clark County has done with their new application format. He too reviewed NRS and NAC and found that it did change to allow latitude and flexibility. Washoe County decided to keep their application the same as it has been done in the past. They went through the process of identifying the projects in the statement of work and the objectives. Washoe County is requesting a total of \$220,125.00 for projects.
- **Q.** Andy Goodrich – Now there is a million dollar cushion that the Department of Motor Vehicles can tap into right?
- **A.** Troy Dillard – No, not in this fiscal year. There has to be a million dollars in the account come July 1st for operating expenses. The way that this account works is it will build over the year, but your expenditures start to come out immediately. This why there needs to be the one million carry forward. So when the year starts it could actually go down below the million the first week, then as the year goes it builds back

up and everything over the million is what goes into the excess reserve that the counties are eligible to apply for.

- **Q.** Andy Goodrich – The only problem I see is that we don't make the projections and we have agreed on this projected total of \$880,000.00 and the actual total is \$780,000.00. What will happen? Do we have to go through the process again or can we just create a pro-rate, is there a plan in place?
- **A.** Tory Dillard – I do not have a direct answer for that, but I do know that we do not anticipate that happening. I think that the projection is going to show up.
- **Q.** Dennis Ransel – Troy do you know how the money is going to be transferred?
- **A.** Troy Dillard – No, I don't know how the money is transferred. I am not sure if you will get the whole requested amount come July 1st or if you will receive it in quarterly payments. I am not sure. The budget Department will need to answer that question.
- **Q.** Andy Goodrich – Does anyone know when the next IFC meeting is scheduled for?
- **A.** Tory Dillard – The tentative date is set for June 10th.

F. The Committee moved that the Washoe Counties application for reserve funds in the amount of \$220,125.00 for fiscal year 2007 be approved. All were in favor.

9. Next Meeting and adjournment

- A. The next I/M Advisory Committee meeting will be scheduled for July 12, 2006 at 11:00 am in Carson City. The Committee requested that Sig schedule the same meeting room located at the Nevada Department of Environmental Protection Agency.
- B. The Committee requested that the following items be placed on the agenda for the next advisory meeting:
 - Waiver Issue
 - Update on the alternative fuels testing
 - DMV Regulation updates
 - Quarterly update on funding
- C. The meeting adjourned at 12:50 pm.