



Control of Emissions from Motor Vehicles

Held on July 8, 2025, at 2:00 pm

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

4th Floor Great Basin Conference Room

901 South Stewart Street

Carson City, NV 89701

to the Nevada Division of Environmental Protection

Red Rock Room

375 East Warm Springs Road, Suite 200

Las Vegas, NV 89119

Meeting Link - https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDYyZiQ0ZmQtMjM1MS00ZDdiLWJlMTktMjYyZjY1NjZiNjJl%40thred.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%227ce7893a-b0e2-4e06-8592-0f77bba1f60f%22%7d

Meeting ID: 248 969 159 126

Passcode: EJko9W

Or call in (audio only): +1 (775) 321-6111

Phone Conference ID: 754 273 604#

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
July 1, 2025**

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
9155 Dbl Diamond Pkwy
Reno, NV 89521

Clark County Government
500 S Grand Central Pkwy
Las Vegas, NV 89106

Northern Nevada Public
Health - AQM
1001 E 9th St
Reno, NV 89512

Department of Motor Vehicles
Website
dmv.nv.gov/publicmeetings.htm

Department of Motor
Vehicles
2621 East Sahara Ave
Las Vegas, NV 89104

Nevada Public Notice
<https://notice.nv.gov/>

1. Call to Order by Chairman

Committee Chair, Andrew Tucker called the meeting of the Advisory Committee on the Control of Emissions from Motor Vehicles to order at 2:03 p.m.

2. Roll Call

MEMBERS:	Representing	Present	Primary	Alternate	Voting
Araceli Pruett	CC/DES	☒	☒	☐	☒
Shiang Yuh-Wu	CC/DES	☐	☐	☒	☐
Ted Lendis	CC/DES	☒	☒	☐	☒
Dawn Leaper	CC/DES	☒	☐	☒	☐
Vernon Miller	NDOA	☒	☒	☐	☒
Christy Lew	NDOA	☐	☐	☒	☐
Andrew Tucker	NDEP – <i>Chair</i>	☒	☒	☐	☒
Scott Kuykendall	NDEP	☒	☐	☒	☐
Steve McNeece	NDEP	☒	☒	☐	☒
Emma Lintz	NDEP	☒	☐	☒	☐
JD Decker	DMV/CED	☒	☒	☐	☒
John Neese	DMV/CED	☒	☐	☒	☐
Ivie Hatt	DMV/CED	☒	☒	☐	☒
Glenn Smith	DMV/CED	☒	☐	☒	☐
My-Linh Nguyen	NDOT	☐	☒	☐	☐
Kandee Bahr Worley	NDOT	☐	☐	☒	☐
Francisco Vega	NNPH/AQMD – <i>Vice Chair</i>	☐	☒	☐	☐
Brendan Schnieder	NNPH/AQMD	☒	☐	☒	☒
Craig Petersen	NNPH/AQMD	☒	☒	☐	☒
Ben McMullen	NNPH/AQMD	☒	☐	☒	☐
Jeffrey Buss	U.S. EPA: Region 9	☐		Ex Officio	☐

3. Public Introductions

INTERESTED PARTIES:	Representing:	
Chris Patterson	DMV/CED	cpatterson@dmv.nv.gov
Joel Tying	DMV/CED	jtyning@dmv.nv.gov
Mike Morris	DMV/CED	mmorris1@dmv.nv.gov
Jessica Klobas	Sonoma Technology Inc.	jklobas@sonomatech.com
Jennifer Lipkin	CC/DES	jlipkin@clarkcountynv.gov
Rebecca Choi	CC/DES	rchoi@clarkcountynv.gov

4. Public Comments

A. No Public Comments.

5. Approval of Agenda Order

A. The agenda was approved by the committee in the order it was prepared.

6. Approval of April 8, 2025, Meeting Minutes

- A. April meeting minutes were approved by the committee with the following correction: Page 1 Heading Section; “3rd Floor Humboldt Conference Room” is changed to “4th Floor Great Basin Conference Room.”.

7. CC/DES Serious Nonattainment Classification for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) – Sonoma Technology Overview

➤ *(PowerPoint Presentation Available Upon Request)*

- A. **Ted Lendis (CC/DES)** – For those of you who may not be familiar with me, I am the Planning Manager at Clark County Department of Environment & Sustainability (CC/DES) and one of our primary functions is to develop Clark County’s portion of the State Implementation Plan - we refer to these as “SIPs”. They are typically comprised of several elements and generally these are prescribed by the Clean Air Act. One of these elements is the subject of today’s presentation and it relates to vehicle emissions testing. Our guest speaker today is Jessica Klobas with Sonoma Technology, and she’ll be presenting her findings to this committee today. Sonoma Technology is the consulting firm that has been hired by CC/DES to help develop our ozone SIP.
- B. **Jessica Klobas (Sonoma Tech.)** – As Ted mentioned I am a consultant helping Clark County to develop their Serious Attainment SIP for the 2015 Ozone Standard. Today we’ll be talking about the requirements for the Inspections and Maintenance Program as part of that process. I spent about 10 years at the California Air Resources Board, so I have quite a bit of government experience.

For a bit of a recap/catchup of where we are, Clark County was “moderate” for the 2015 Ozone Standard up until recently and as part of their designation in the “moderate” standard they developed a SIP that was released in November 2024. At the “moderate” level there was a requirement for a “basic” Inspections and Maintenance Program - also known as an I&M Program. Subsequently since that time, Las Vegas was reclassified to “serious” effective January of this year and now requires a new SIP to be developed, and it also requires what’s called an “enhanced” I&M Program. This “serious” ozone attainment is for Region 212 – mainly the major cities of Las Vegas, Henderson and North Las Vegas – and it does not apply necessarily to the entire state.

We want to go through what we’ve learned so far about what it means to move to an “enhanced” I&M Program for this region and I just want to start by saying this is a very, very early analysis as we’ve kicked off this project only about 2 months ago. We want to present our findings with the understanding that much of this may change in our understanding when we get more information from both the Department of Motor Vehicles (DMV) and United States Environmental Protection Agency (USEPA) and at this point we haven’t even reached out to DMV on many of our questions (I know there is DMV on this call) and I just want to acknowledge that there are multiple questions that we have that we have not yet reached out about. This is just again a very early understanding of what this means.

As you probably know the existing I&M Program is administered by the Nevada DMV. And in 2000 this program was classified by EPA as a “low enhanced” program. So, we’re already in a “low enhanced” scenario and what we’re moving to is an “enhanced” I&M Program. Looking at the requirements for an “enhanced” I&M program they’re largely quite similar to a “low enhanced” program. Therefore, we expect the existing Inspections and Maintenance program is largely compliant though there may be some details that need to be adjusted. We developed a

relatively detailed document of the various nuances where “low enhanced” and an “enhanced” program may differ. If that has not already been provided to this group, we can provide it.

One of the major differences that we observed in law was the emission test type and the coverage. And in our analysis, we described what the law says a “low enhanced” requirement is, what the law says an “enhanced” requirement is and then what the current Clark County program is based on our reading of the publicly available information. This isn’t a deep understanding that the DMV has about this program, and so all of this is to be reviewed by the DMV of course. The “low enhanced” program requires idle testing of all covered vehicles, and the “enhanced” program requires idle testing for older vehicles and OBD or “onboard diagnostics” for 2001 and newer vehicles (a major difference in the law). The “low enhanced” program that Nevada currently has is actually above the “low enhanced” in multiple areas. Currently there are different requirements for gasoline and diesel vehicles and gasoline vehicles already required idle testing for older vehicles and OBD for newer ones, so the gasoline component appears to be compliant. The diesel component has a few different requirements and that includes exhaust opacity via dynamometer and so that component may not be compliant – this is something we’re still looking into.

There’s a lot of specific legal requirements in the law about these programs. One of the items that we looked at was 40 CFR Subpart S Appendix B has very specific requirements for tailpipe testing and based on the information available online we couldn’t determine whether or not the current idle testing procedures were compliant with these requirements, so we’ll be reaching out to the DMV for help in reviewing and understanding that requirement.

There’s also some specific language about “pieces of equipment” and so for example in the law there is a description of a “positive crankcase ventilation valve” for review on all 1968 through 71 models and the Clark County I&M Program describes a “visual inspection and crankcase blow-by for 1968 and newer”. So, there are just a few terms that we are still working on to ensure they are consistent and equivalent across these various methods (they get relatively detailed).

Another component of an I&M Program is waivers. Waivers are provided in the case that a particular vehicle is not able to pass and typically that vehicle has spent some money to try to pass and is still unable to pass. The current Nevada program already has a waiver program in place, and it does currently require a minimum of \$450 to be spent to obtain that waiver. The law text actually states that a \$450 minimum is “the law”, but it does need to be adjusted by the Consumer Price Index (CPI) each year compared to 1989. Based on my reading, that is not currently in place, and I will also say if you’ve read the more detailed text there are other regions that require an “enhanced” I&M Program that also only use the \$450 so it will be an open question to USEPA whether we’ll be required to implement some kind of CPI adjustment to this value which would increase the total amount that users would have to spend before they could get a waiver.

There are many detailed and specific requirements, and one is about improving repair effectiveness. Essentially when a vehicle requires repair the EPA has a number of items in law to ensure that that repair is effective. There is one particular requirement that if a vehicle does fail a test and needs repairs, that the program provides at the time of initial failure, a summary of the performance of local repair facilities. I’ve summarized the particular items required to be

provided at that time and we're still working to identify if this is currently in place or if this would be an addition to the program needed.

That really sums up our analysis of the major differences we observed between a "low enhanced" or current Nevada program and the "enhanced" program that's required. So overall, there are not a ton of things that we saw that need to be updated, and that is to comply with the actual text of the law.

A I&M program is really a performance standard and so part of meeting the requirement is to perform "modeling" to show that your program meets a particular emission limit. This is called Performance Standard Modeling (PSM) in the law and essentially USEPA provides a model program which is compliant which you are supposed to model against to see if your program is at or below that value within a certain margin of error. This is using the USEPA "Moves Model" and putting in specific information about different vehicle classes and their compliance with the program as well as waiver rates and other information.

Subsequent to developing the written document, Clark County worked to perform a preliminary PSM and their preliminary modeling shows the existing program is compliant so that means that the existing program's emissions are lower than the USEPA model program and thus compliant. We will put forth the caveat that of course USEPA must review and approve the methodology used to come to this conclusion and that has not yet occurred. But if USEPA were to approve our PSM we are not currently sure if any changes would be required to the I&M program or if satisfaction of this PSM would meet the requirements. There are a few open questions to USEPA about this and more to come later.

So that is the summary of what we've learned so far on the I&M Program. I have Ted's contact information here which I think most of you already have as well as my own if you did want to send me any specific questions and thanks for your attention.

- C. **Ted Lendis (CC/DES)** – I seem to recall in previous discussion that we've had internally with you that you felt that there may not need to be a change to the NRS as a result of your findings. So, in other words it's true that we may have to enhance our program more than what we have today but that doesn't necessarily translate to any physical changes to the NRS, do I understand that correctly?
- D. **Jessica Klobas (Sonoma Tech.)** – Based on the preliminary review even if we did have to update the program it appears there would not need to be any changes to the NRS, that's correct.
- E. **Dawn Leaper (CC/DES)** – The \$450 that a resident has to spend for a waiver has to be toward emissions related repairs only is that correct?
- F. **Jessica Klobas (Sonoma Tech.)** – Yes, there are some stipulations on what can and cannot be used for that amount. It's not just emission repairs but for example it cannot be used for tampering. If there was a tampering component then that money can't go toward fixing a tampering, so there are a few stipulations.
- G. **JD Decker (DMV/CED)** – And just to be clear Ted, that \$450 is, like you were saying, not in statute it is in code we would have to change the regulation. And it has to be spent on parts other than

the catalytic converter, fuel inlet restrictor or air injection system or on labor other than emission testing.

- H. **Ted Lendis (CC/DES)** – Ok, so the code would have to be updated. Understood.
- I. **Andrew Tucker (NDEP)** – With regards to your earlier comment on diesel opacity/dynamometer testing maybe not being compliant, could you maybe clarify a little bit more on what we'd be looking at for it to become compliant?
- J. **Jessica Klobas (Sonoma Tech.)** – For the OBD checks for 2001 and newer vehicles it wasn't clear from my reading of the public information whether this exhaust opacity included that so it would mostly be this OBD component I believe.
- K. **Andrew Tucker (NDEP)** – So it would be basically adding the OBD requirement for diesel vehicles on top of the existing requirements?
- L. **Jessica Klobas (Sonoma Tech.)** – For 2001 and newer at a minimum and I believe many of those vehicles already have OBD. We've seen other programs that have implemented this and found that most of the vehicles already have this so it's not necessarily a huge lift.
- M. **Ted Lendis (CC/DES)** – Just getting back to the dollar figure for the waivers. The \$450 is based on 1989 so is that to say that we would have to adjust that figure to reflect the CPI over all of those years so that it's representative of today's dollars? Am I understanding that correctly?
- N. **Jessica Klobas (Sonoma Tech.)** – That's my interpretation of this. I will say that there are other programs who do have a limit of \$450 and then some programs have specific higher limits. I haven't seen any programs that actually adjusted every year. For example, California is \$650, and Texas is \$600 I believe. So, I don't know if they set those at a high cap to encompass all future potential increases? But I would say that the appearance is that most programs are either not complying with this or complying by putting some kind of high future cap on that amount. I think an open question for perhaps those programs or USEPA is whether they are expecting compliance with this component or what their interpretation of it is if different than ours.
- O. **Ted Lendis (CC/DES)** – That's all that we have to present to you all today. As Jesse mentioned, this is all very preliminary, and we certainly intend to further our discussion with you all as well as USEPA.
- P. **Glenn Smith (DMV/CED)** – In the handout provided, it is saying compliance rate was 96% + with Nevada's program but it's not very clear what elements are used to determine what the compliance rate is. Is that just a pass/fail rate or is that the overall program as a whole? How is that compliance rate being determined?
- Q. **Jessica Klobas (Sonoma Tech.)** – There are very specific guidelines from USEPA about how to calculate these. The DMV I assume already implements those. There is the annual report on the I&M Program, and I received that number from the 2023 annual report, that's public, that listed a 96.6% rate so that's where I got that number.

- R. **Ted Lendis (CC/DES)** – So moving forward, we intend to have some more discussion with DMV and maybe others in this setting. Are those individuals present here today, or could you recommend others that we reach out to?
- S. **JD Decker (DMV/CED)** – Start with Ivie Hatt and then go to me.
- T. **Andrew Tucker (NDEP)** – Thank you Ted, appreciate the presentation. It was helpful, we look forward to seeing how things go/progress and don't hesitate to reach out if we can help.

8. Informational Item(s)

- A. **JD Decker (DMV/CED)** – I have 3 legislative updates on the bills we sponsored/worked on:

AB417 – Allows Nevada Law Enforcement to use a program that the Compliance Enforcement Division of DMV uses whereby instead of writing a criminal citation for a vehicle that is likely to have a modified exhaust and crawling underneath the vehicle on the side of the road we use what we call a Notice of Inspection. It is a form that we can give out to potential violators that says I'm 51% sure your vehicle has been modified, and you have 30 days to take it to a DMV inspection station to have it checked or else your registration will be cancelled. That's a program that we use widely for vehicles that are smoking, or potentially have modified exhaust, or are missing safety features – things particularly common with street racers. So, instead of trying to determine on the side of the road whether or not there is beyond a reasonable doubt of violation we use this Notice of Inspection to take advantage of our smog and VIN inspection stations. This bill allows us to expand that program to other Nevada Law Enforcement agencies so they can use it as well - send us the Notice of Inspection form and we'll cancel the registration pending the car being checked out.

AB545 – Allows us to raise the emission certificate fee from \$6 to \$7 which shores up our emissions program budget and allows us to hopefully wind up having some money to give back to the counties.

SB80 – The CED specific bill that helps us recover stolen vehicles by making available special surveillance warrants and also, of particular interest of this committee, makes, for the first time in Nevada's history, tampering with an emission system or possessing devices designed to tamper with an emission system illegal. Prior to July 1st that was not illegal in Nevada believe it or not. It was illegal to possess fraudulent evidence of a certified smog check, but it was not illegal to tamper with your vehicle's emission system. This bill makes that illegal and helps us enforce modified exhaust systems on the street.

Those are the 3 bills that pertains to this committee that we worked very hard on and passed and we're pretty happy with. That's all I have.

- B. **Ivie Hatt (DMV/CED)** – I just wanted to inform the committee and also thank Glenn Smith for his service on this committee for many, many years. He will be retiring next Friday. I wanted to let everyone know that he is retiring and to thank him for all of his time and commitment to this board.

9. Public Comment(s)

- A. No Public Comments

10. Next Meeting & Adjournment

- A. The next IM Committee meeting is scheduled for Tuesday, October 14, 2025, at 2:00 p.m.
- B. Today's meeting adjourned at 2:42 p.m.