

5/11/07

Miscellaneous Provisions

NAC 445B.727 Administrative fines and other penalties. (NRS 445B.785, 445B.835, 481.051)

1. Except as otherwise provided in subsections 2 and 3 and NAC 445B.7045, if the Department imposes administrative fines pursuant to the provisions of NRS 445B.835, it will impose such fines for violations occurring within the 2-year period immediately preceding the most recent offense according to the following schedule:

- (a) For a first offense, a fine of not less than \$100 or more than \$500.
- (b) For a second offense, a fine of not less than \$500 or more than \$1,000.
- (c) For a third offense, a fine of not less than \$1,000 or more than \$1,500.
- (d) For a fourth or subsequent offense, a fine of not less than \$1,500 or more than \$2,500.

↪ For the purposes of paragraphs (b), (c) and (d), a cease and desist order issued by the Department shall be deemed to be a first offense.

2. If the Department imposes administrative fines on an owner or operator of a heavy-duty motor vehicle powered by diesel for a violation of the standards of opacity established pursuant to NRS 445B.780, it will impose such fines for violations occurring within the 1-year period immediately preceding the most recent offense according to the following schedule:

(a) For a first offense, a fine of \$800. The Department will not impose this fine if demonstration of correction is provided within 45 calendar days after the receipt of the citation.

(b) For a second or subsequent offense, a fine of \$1,500.

↪ For the purposes of paragraph (b), a cease and desist order issued by the Department shall be deemed to be a first offense.

3. The Department may impose a fine of not less than \$1,500 or more than \$2,500 for any violation of NAC 445B.460 or subsection 4 of NRS 445B.840.

4. Any person who has been fined pursuant to the provisions of NRS 445B.835 shall make payment to the Department not later than the date specified in the notice of the violation, unless he has requested a hearing pursuant to subsection 1 of that section.

5. Upon the failure of a person to pay a fine imposed pursuant to the provisions of this section when it becomes due, the Director may suspend, revoke or refuse to issue any license obtained pursuant to the provisions of chapter 445B of NRS.

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 11-23-92; A 12-4-96; A by Dep't of Motor Veh. by R003-04, 2-3-2005)

NAC 445B.735 Program for licensure to install, repair and adjust devices for control of emissions. (NRS 445B.210, 445B.770, 445B.785) A program for the licensure of authorized inspection stations and persons qualified to install, repair and adjust devices for the control of emissions in motor vehicles is hereby established. The program, which is to be established by the Department in compliance with the requirements of 40 C.F.R. § 51.367, must include, without limitation, a procedure for reporting for persons qualified to install, repair and adjust devices for the control of emissions in motor vehicles.

(Added to NAC by Environmental Comm'n, eff. 3-23-94; A by Dep't of Motor Veh. & Pub. Safety by R079-98, 9-25-98)