

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Public Hearing for the Adoption of Proposed New Regulations of the Department of Motor Vehicles

The Department of Motor Vehicles will hold public hearings at the following location on the date and time specified:

CARSON CITY

***Thursday, September 6, 2012, 8:30 A.M.
Department of Motor Vehicles
Director's Conference Room
555 Wright Way
Carson City, Nevada 89711***

Video conferencing will be provided to

LAS VEGAS

***Thursday, September 6, 2012, 8:30 A.M.
Department of Motor Vehicles
Conference Room
8250 W. Flamingo Road
Las Vegas, Nevada 89147***

The purpose of the hearing is to solicit comments from all interested persons on the following general topics that will be addressed in the proposed regulations.

- The repeal of regulations in the Nevada Administrative Code relating to chapters 360A, 365, 445B, 481, 482, 483, 485 and 487 of NAC.
- Amendment of regulations in chapters 360A, 445B, 481, 482, 483, 485 and 487 of the Nevada Administrative Code relating to the repeal of regulations in these chapters.

Proposed Regulations of the Department of Motor Vehicles, [LCB File No R065-12](#)

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

The purpose of this public hearing is to repeal regulations which, per the Governor's Executive Order 2011-01 ordered a comprehensive review of all agency regulations, have been identified as no longer necessary or redundant in their definition. The regulations proposed to be amended are directly related to the regulations proposed to be repealed in that they require either language changes or citation changes.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.

The Department is proposing to repeal 78 regulations. These regulations encompass chapters 360A, 365, 445B, 481, 482, 483, 485 and 487 of The Nevada Administrative Code (NAC). As a result of a comprehensive review of all its regulations, and with assistance from the Legislative Counsel Bureau, the Department identified regulations that were either no longer necessary or were redundant in their definition.

The majority of these regulations are definitions that are already defined in statute. In these cases, there is no benefit to either the Department or industry since the terms being defined are not being used in a sense that is different from their natural meaning, or how they are defined in statute. Some of the regulations are no longer required since they were subsequently added to statute.

NAC 482.602 through 482.634 describes the requirements for participation in an electronic lien and title program. Since the Department has decided not to implement this program, the regulations are not needed.

NAC 4483.380 establishes the use of a Medical Advisory Board to assist the Department with developing health and medical standards for use in issuing driver's licenses. A Medical Advisory Board has never been established and is not required by statute. Therefore, the regulation is no longer required. As a result, NAC 483.310 must be amended to delete the "Medical Advisory Board".

- 3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

 - (a) Both adverse and beneficial effects.** There is no economic effect on business. There is no economic effect on the public.
 - and**
 - (b) Both immediate and long-term effects.** There is no economic effect on business. There is no economic effect on the public.

- 4. The estimated cost to the agency for enforcement of the proposed regulation.**
There is no cost to the Department in the enforcement of these proposed regulations.

- 5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**
The proposed amendments to the regulations do not overlap that of any other state, local, or federal government agency.

- 6. If the regulation is required pursuant to federal law, a citation and description of the federal law.**
These regulations are not required pursuant to federal law.

- 7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
The proposed amendments do not include provisions which are more stringent than a federal regulation.

- 8. Whether the proposed regulation establishes a new fee or increases an existing fee.**
The proposed regulations do not establish new fees or increases in existing fees.

Persons wishing to comment upon the proposed action of the Department of Motor Vehicles may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form to:

Peter Olson
Department of Motor Vehicles
Research and Development Division
555 Wright Way, Carson City, NV 89711
775.684.4960

Written submission must be received by Department of Motor Vehicles on or before **Monday, September 10, 2012**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department of Motor Vehicles may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted will be available at each of the Department of Motor Vehicles listed, and at the main public libraries listed, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us/Register/>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the locations listed on the attached page.

Dated: July 26, 2012

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:

DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICES

Carson City DMV
555 Wright Way
Carson City, NV 89711

Las Vegas DMV (West Flamingo)
8250 West Flamingo
Las Vegas, NV 89147

Elko DMV
3920 East Idaho Street
Elko, NV 89801

Reno DMV (Galletti Office)
305 Galletti Way
Reno, NV 89512

Ely DMV
178 Avenue F (PO Box 150088)
Ely, NV 89301 (Ely, NV 89315)

Henderson DMV
1399 American Pacific Drive
Henderson, NV 89704

Fallon DMV
973 West Williams Street
Fallon, NV 89406

Las Vegas DMV (Sahara Office)
2701 East Sahara
Las Vegas, NV 89104

Donovan DMV
4110 Donovan Way
N. Las Vegas, NV 89030

Hawthorne DMV
1085 Highway 95 (PO Box 2093)
Hawthorne, NV 89415

Tonopah DMV
1137 S. Main St. #C-8
Tonopah, NV 89049

Laughlin DMV (PO Box 32908)
3030 South Needles Hwy Suite 900
Laughlin, NV 89028

Yerington DMV
215 West Bridge Street #9
Yerington, NV 89447

Pahrump DMV
1780 E. Basin Avenue, Suite #1
Pahrump, NV 89060

Winnemucca DMV
3505 Construction Way
Winnemucca, NV 89445

Decatur DMV
7170 N. Decatur Blvd.
Las Vegas, NV 89131

Mesquite DMV
550 West Pioneer Blvd., Suite 120
Mesquite, NV 89027

LIBRARIES

Goldfield Public Library
Fourth & Crook Street
PO Box 430
Goldfield, Nevada 89013

Lincoln County Library
93 Main Street
PO Box 330
Pioche, Nevada 89043

Eureka Branch Library
10190 Monroe Street
PO Box 293
Eureka, Nevada 89316

Battle Mountain Branch
625 South Broad Street
PO Box 141
Battle Mountain, Nevada 89820

Douglas County Library
1625 Library Lane
PO Box 337
Minden, NV 89423

Pershing County Library
1125 Central Avenue
PO Box 781
Lovelock, Nevada 89419

Storey County Library
95 South R Street
PO Box 14
Virginia City, Nevada 89440

Nevada State Library
100 North Stewart Street
Carson City, Nevada 89701

Mineral County Library
110 1st Street
Hawthorne, NV 89415