

NOTICE OF INTENT TO ACT UPON REGULATIONS

NOTICE OF PUBLIC HEARING FOR THE ADOPTION OF PROPOSED NEW AND AMENDED REGULATIONS OF THE NEVADA DEPARTMENT OF MOTOR VEHICLES (DMV)

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

PUBLIC HEARING MEETING NOTICE

Wednesday, March 10, 2010 at 9:00 am

CARSON CITY

Nevada Legislative Counsel Bureau
Conference Room 2134
401 South Carson Street
Carson City, NV. 89701

VIDEO CONFERENCING WILL BE PROVIDED TO:

LAS VEGAS

State of Nevada – Grant Sawyer Building
Conference Room 4406
555 East Washington Ave.
Las Vegas, NV. 89101

ELKO

Great Basin College – Greenhaw Technical Arts Bldg.
Conference Room 118
1500 College Park Way
Elko, NV. 89801

The purpose of this hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapters 360A, 366, 482 and 706 of the Nevada Administrative Code (NAC).

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:

Each of the proposed regulations pertains to the Department of Motor Vehicles and amends Chapters 360A, 366, 482 and 706 of Nevada Administrative Code (NAC) to comply with legislation passed during the 2009 Legislative Session (Assembly Bill 372, Senate Bill 199 and Senate Bill 332).

Regulation R158-09: This is a regulation relating to the Department of Motor Vehicles, amending Chapters 482 and 706 of the Nevada Administrative Code (NAC) to comply with Legislation (AB372) passed during the 2009 Legislative Session. The amendments proposed in this regulation allow a person who renews the registration of certain vehicles after conviction of an offense relating to vehicle weight, to request an adjustment to the declared gross weight; requiring certain interstate motor carriers to make payment of certain fees to the Department of Motor Vehicles by cash or certified funds; providing the amount and duration of a bond required of certain motor carriers upon finding of habitual delinquency in payments due the Department; and providing other matters properly relating thereto.

Regulation R159-09: This is a regulation relating to the Department of Motor Vehicles, amending Chapter 482 of the Nevada Administrative Code (NAC) to comply with Legislation (SB199) passed during the 2009 Legislative Session. The amendments proposed in this regulation make various changes to dates for installment payments for the registration fees for certain fleets of vehicles; and provide other matters properly relating thereto.

Regulation R160-09: This is a regulation relating to the Department of Motor Vehicles, amending Chapters 360A, and 366, of the Nevada Administrative Code (NAC) to comply with Legislation (SB332) passed during the 2009 Legislative Session. The amendments proposed in this regulation make special fuel manufacturers subject to provisions relating to the licensing, reporting requirements and tax obligations applicable to special fuel users, special fuel suppliers, and special fuel dealers. In addition, this regulation makes the imposition of administrative fines for violations of law mandatory and provides other matters properly relating thereto.

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 required by statute to amend regulations relating to the administration, taxation and enforcement of:

Regulation R158-09: The Department is required by statute to amend regulations relating to the registration, administration, and enforcement of motor carrier vehicle registrations. This regulation allows a person who had previously been convicted of an offense relating to vehicle weight, to apply for an adjustment to their declared gross vehicle weight upon registration renewal. Secondly, this regulation provides for the remittance of certain payments imposed by the Motor Carrier Division to be paid using cash or certified funds. Lastly, this regulation also requires the imposition of a bond upon certain motor carriers found to be habitually delinquent.

Regulation R159-09: The Department is required by statute to amend regulations relating to the registration, administration, and enforcement of motor vehicle registrations. This regulation pertains to motor vehicle registrations, revising certain registration requirements for farm vehicles and revising dates for fleet installment payments.

Regulation R160-09: The Department is required by statute to amend regulations relating to the administration, taxation and enforcement of special fuels. This regulation pertains to special fuel manufacturers imposing provisions relating to licensing, reporting requirements and tax obligations applicable to special fuel users, special fuel suppliers, and special fuel dealers. In addition this regulation also provides for the imposition of administrative fines for law violations.

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: (None) there are no anticipated adverse or beneficial economic effects resulting from the passage of these regulations.

(b) Both immediate and long-term effects: (None) there are no anticipated immediate or long-term economic effects resulting from the passage of these regulations.

4. The estimated cost to the agency for enforcement of the proposed regulation:

There is no cost to the agency in the enforcement of the 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 within these regulations do not overlap that of any other state, local, or federal governmental 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 amendment does 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 amendment does not establish a new fee or increase an existing fee.

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:

Sean McDonald Management Analyst
Department of Motor Vehicles
Research and Development Division
555 Wright Way, Carson City, NV 89711
(775) 684-4773

Written submission must be received by Department of Motor Vehicles on or before **March 17, 2010**. 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 regulations 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: February 4, 2010

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:

DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICES

Office of the Director
555 Wright Way
Carson City, NV. 89711

2701 E. Sahara Ave.
Las Vegas, NV. 89104

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

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

4110 Donovan Way
North Las Vegas, NV. 89030

8250 West Flamingo Rd.
Las Vegas, NV. 89147

3920 E. Idaho St.
Elko, NV. 89801

3505 Construction Way
Winnemucca, NV. 89445

178 N. Avenue F
Ely, NV. 89301

215 West Bridge St. #9
Yerington, NV. 89447

973 W. Williams St.
Fallon, NV. 89406

1780 E. Basin Road
Pahrump, NV. 89060

305 Galletti Way
Reno, NV. 89512

Department of Motor Vehicles Website
<http://www.dmvnv.com/index.htm>

1085 Highway 95
Hawthorne, NV. 89410

Legislative Council Bureau Website
<http://www.leg.state.nv.us/register>

1399 American Pacific Dr.
Henderson, NV. 89074

3030 S. Needles Highway, Ste. 900
Laughlin, NV. 89028

330 N. Sandhill Rd. Ste. H
Mesquite, NV. 89027

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:

LIBRARIES

Battle Mountain Branch
625 South Broad St.
Battle Mountain, NV. 89820

Nevada State Library and Archives
100 North Stewart St.
Carson City, NV. 89701

Douglas County Public Library
1625 Library Lane
Minden, NV. 89432

Pershing County Library
1125 Central Ave.
Lovelock, NV. 89419

Eureka Branch Library
10190 Monroe Street
Eureka, NV. 89316

Storey County Library
95 South "R" Street
Virginia City, NV. 89440

Goldfield Public Library
Fourth and Crook St.
Goldfield, NV. 89013

Nevada Tax Payers Association
501 S. Carson St. Suite #301
Carson City, NV. 89701

Lincoln County Library
#63 Main Street
Pioche, NV. 89043

Mineral County Library
First and "A" Street
Hawthorne, NV. 89415