

**ADOPTED REGULATION OF THE  
DEPARTMENT OF MOTOR VEHICLES**

**LCB File No. R002-08**

§§1, 3, 4, 6, 7 and 8 effective June 17, 2008  
§§2 and 5 effective January 1, 2009

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 8, NRS 482.160; §2, NRS 482.160 and 482.206; §§3, 4 and 7, NRS 482.160 and 482.565; §5, NRS 482.160 and 482.482; §6, NRS 482.160, 482.206 and 706.821.

A REGULATION relating to vehicle registration; providing varying dates of registration for intrastate vehicles registered through the Motor Carrier Division of the Department of Motor Vehicles; revising provisions governing the registration of certain fleets of vehicles; providing administrative penalties for certain violations; revising provisions governing installment payments for the registration of certain fleets of vehicles; and providing other matters properly relating thereto.

**Section 1.** Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

**Sec. 2. 1.** *An intrastate vehicle must be registered for a period of 12 consecutive months:*

*(a) Beginning January 1 and ending December 31;*

*(b) Beginning April 1 and ending March 31; or*

*(c) Beginning October 1 and ending September 30.*

*2. As used in this section, unless the context otherwise requires, “intrastate vehicle” means a vehicle that is registered through the Motor Carrier Division of the Department solely for operation within the State of Nevada.*

*Sec. 3. 1. All required documentation submitted to the Department for the renewal of the registration of a fleet of vehicles required to be registered through the Motor Carrier Division of the Department is due on or before the first day of the month in which the registration expires. If the required documentation is not submitted timely, the Department, pursuant to NRS 482.565:*

*(a) May, without limitation, suspend the privilege of the owner of the fleet of vehicles to pay in installments the renewal registration fees and the governmental services tax imposed by the provisions of chapter 371 of NRS for the privilege of operating those vehicles; and*

*(b) Will impose an administrative fine on the renewal of the fleet of vehicles. The amount of the administrative fine will be determined as follows:*

*(1) If the documentation is received by the Department not more than 7 calendar days after it is due, the Department will impose an administrative fine of \$100.*

*(2) If the documentation is received by the Department more than 7 calendar days but not more than 14 calendar days after it is due, the Department will impose an administrative fine of \$200.*

*(3) If the documentation is received by the Department more than 14 calendar days but not more than 21 calendar days after it is due, the Department will impose an administrative fine of \$300.*

*(4) If the documentation is received by the Department more than 21 calendar days after it is due but on or before the expiration of the registration, the Department will impose an administrative fine of \$400.*

*(5) If the documentation is received by the Department after the expiration of the registration, the Department will impose an administrative fine in accordance with the provisions of section 4 of this regulation.*

*2. For the purposes of this section, documentation submitted to the Department for the renewal of the registration of a fleet of vehicles required to be registered through the Motor Carrier Division of the Department:*

*(a) Except as otherwise provided in paragraph (b), shall be deemed to have been received by the Department:*

*(1) If delivered by mail, on the date shown by the postmark stamped by the United States Postal Service or the postal service of any other country upon an envelope containing the documentation properly addressed to the Department. If no postmark is present on the envelope, the Department will consider the date of delivery as the date received.*

*(2) If delivered by a private postal service, on the business day next preceding the date of actual delivery.*

*(3) If delivered via the Internet, on the date actually received by the Department, regardless of any reason for delay.*

*(b) Shall be deemed not to have been received by the Department unless all required documentation is included.*

*Sec. 4. 1. Pursuant to NRS 482.565, the Department will impose an administrative fine for violations relating to the lapse of the registration of vehicles registered through the Motor Carrier Division of the Department and occurring within the 3-year period immediately preceding the most recent offense according to the following schedule:*

*(a) For the first offense, an administrative fine of not more than \$500.*

*(b) For the second offense, an administrative fine of not less than \$500 and not more than \$1,000.*

*(c) For the third offense, an administrative fine of not less than \$1,000 and not more than \$1,500.*

*(d) For the fourth or subsequent offense, an administrative fine of not less than \$1,500 and not more than \$2,500.*

*2. For the purposes of paragraphs (b), (c) and (d) of subsection 1, a notice of violation and directive to cease from further violation issued by the Department shall be deemed to be a first offense.*

**Sec. 5.** *1. Installment payments for the original or renewal registration fees for a fleet of vehicles with a declared gross weight in excess of 26,000 pounds and the governmental services tax imposed by the provisions of chapter 371 of NRS for the privilege of operating those vehicles are due to the Department on or before January 1, April 1, July 1 and October 1 of each year.*

*2. For the purposes of this section, the Department will suspend for the remainder of the present registration year and the following registration year the privilege of the owner of the fleet of vehicles to pay in installments if:*

*(a) An installment payment is received from the owner of the fleet of vehicles after the date due; or*

*(b) A check or draft issued by the owner of the fleet of vehicles to the Department for the installment payment is returned to the Department for insufficient funds.*

**Sec. 6.** *A motor vehicle that is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive, must be registered for a period of 12 consecutive months beginning January 1 and ending December 31.*

**Sec. 7.** NAC 482.930 is hereby amended to read as follows:

482.930 1. Except as otherwise provided in subsection 2 and NAC 482.042, *and sections 3 and 4 of this regulation*, if the Department imposes administrative fines pursuant to the provisions of NRS 482.565, it will impose such fines for violations occurring within the 3-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 nor more than \$500.
- (b) For a second offense, a fine of not less than \$500 nor more than \$1,000.
- (c) For a third offense, a fine of not less than \$1,000 nor more than \$1,500.
- (d) For a fourth or subsequent offense, a fine of not less than \$1,500 nor more than \$2,500.

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

2. The Department may impose a fine of not less than \$1,500 nor more than \$2,500 for any violation of NRS 482.300, 482.3161, 482.322, 482.362 or 482.363.

3. Any person who has been fined pursuant to the provisions of NRS 482.565 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.

4. 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 this chapter.

**Sec. 8.** 1. This section and sections 1, 3, 4, 6 and 7 of this regulation become effective on June 17, 2008.

2. Sections 2 and 5 of this regulation become effective on January 1, 2009.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R207-07**

The Department of Education adopted regulations assigned LCB File No. R207-07 which pertain to chapter 386 of the Nevada Administrative Code.

**INFORMATIONAL STATEMENT**

The following statement is submitted for adopted amendments to Nevada Administrative Code 389:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Regulations was sent to approximately 200 individuals and educational organizations. A workshop was held on January 25, 2008. There was no public comment.

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of the amendments to NAC 386 – Applications to Form Charter Schools Proposed for Sponsorship by a College or University with the Nevada System of Higher Education was sent to approximately 200 individuals and educational organizations. The public hearing was conducted on March 7, 2008 to provide the opportunity for comments by affected parties and the public. There was no public comment. The State Board of Education adopted the proposed amendments to the regulations as submitted.

2. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 8; First Hearing: 8; Second Hearing: N/A
- b) Testified at Each Hearing: First Workshop: 0; First Hearing: 0; Second Hearing: N/A
- c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

A copy of any written comments may be obtained by contacting Doris Arnold, Executive Assistant, Nevada Department of Education, 775-687-9217, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comments were solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through the workshop notice of December 18, 2007; and the public hearing notice of February 1, 2008. At the January 25, 2008 Workshop to Solicit Comments, there was no public comment to the proposed amendments to the regulation language. At the March 7, 2008 public hearing there was no public comment to the proposed amendments to the regulation language.

Summary of Comments:  
Workshop/Public Hearing Comments:

Workshop comments:

(a) There were no public comments during the workshop.

Public Hearing comments:

(b) There were no public hearing comments.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Doris Arnold, Executive Assistant, Nevada Department of Education, 775-687-9217, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.

The Nevada State Board of Education adopted the proposed amendments to the regulation language at the public hearing held March 7, 2008. The reason for adopting the regulation is to comply with changes by the 2007 Nevada State Legislature approving the Nevada System of Higher Education as an additional sponsor of charter schools. The proposed regulations follow similar processes used by local boards of trustees of school districts. These regulations will clearly define for applicants and the University System the process and procedures to be followed when the University is desired as a sponsor of a charter school.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There is no economic effect on the Department of Education. There is no economic effect on the public or the business it regulates and the changes are beneficial to charter schools.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.



8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide for a new fee or increase an existing fee.