

LCB File No. R009-08

**PROPOSED REGULATION OF THE
DEPARTMENT OF MOTOR VEHICLES**

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

AUTHORITY: NRS 481.051, NRS 483.700, NRS 483.780

Section 1 Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections one to three, inclusive of this regulation.

NAC 483.XXX Application for license to operate: Federal identification number and an electronic mail address required. (NRS 481.051, 483.700) *In addition to the requirements set forth in NRS 483.7205, 483.721, and 483.722, an application for a license or for the renewal of a license to operate a school for training drivers, must include the federal identification number of the applicant's business and an electronic mail address.*

Sec 2. NAC 483.XXX Administrative fine: Imposition and payment; failure to pay. (NRS 483.700, 483.780)

1. The Department may impose an administrative fine, not to exceed \$2500, for a violation of any provision of NRS 483.700 to 483.780, inclusive or any rule, regulation or order adopted or issued pursuant thereto. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121.

(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 483.700.

3. Any person who has been fined pursuant to any provisions of this chapter 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. 3. NAC 483.795 Vehicles used for training drivers: Inspection; requirements. (NRS 481.051, 483.750)

~~1. [An authorized representative of the Department, or an authorized representative of the Department of Public Safety, who is licensed to inspect commercial motor vehicles will, at least semiannually,]~~ *A school for training drivers or the third-party certifier provided for by regulation shall ensure that each vehicle used for training drivers and operated on a highway is inspected annually. The school for training drivers or the third party certifier shall provide to the Department, within 30 days after the inspection or by December 31 of each calendar year, whichever comes first, the results of the inspection regarding the safety and road worthiness of the vehicles inspected pursuant to subsection 1. [visually inspect each vehicle used for behind-the-wheel training to ensure that the vehicle is in good operating condition.]*

(a) Inspected annually by a Nevada Registered Garage or Licensed Nevada Body Shop using an official DMV Inspection form.

- (b) *Class C Vehicle: windshield, side glass, ear glass, horn, muffler, air bags, fenders, tires/tread, headlights, taillights, turn signals, parking lights, brake lights, brakes (dual brakes), rear-view mirror, second rear-view mirror, steering, windshield wipers, emergency brake, safety belts, shoulder harness, dual clutch (if manual transmission).*
- (c) *Motorcycle: horn, headlight, turn signals, reflectors, taillight, mufflers, brake light fenders, mirrors.*

2. Each vehicle which is not a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for behind-the-wheel training must be maintained in a clean and safe operating condition at all times and have at least the following equipment:

(a) If the vehicle is equipped with an automatic transmission, a dual braking device which enables an instructor in the front passenger seat to bring the vehicle under control in an emergency;

(b) If the vehicle is equipped with a standard transmission, a dual clutch device and braking device which enables an instructor in the front passenger seat to bring the car under control in an emergency;

(c) A separate mirror which enables the instructor to view traffic behind the vehicle; and

(d) A safety belt for the driver and each passenger of the vehicle.

3. If a school for training drivers purchases or leases a motor vehicle for the training of drivers, *a Nevada Registered Garage or Nevada Licensed Body Shop will inspect the vehicle prior to providing training:* ~~[authorized representative of the Department will inspect the vehicle:]~~

(a) Within 30 days after the purchase or lease.

(b) At the discretion of the Department, during the semiannual inspection conducted pursuant to subsection 1.

4. Each vehicle which is a commercial motor vehicle pursuant to NAC 483.802 and is used by a school for behind-the-wheel training must meet all the requirements of the Federal Motor Carrier Safety Regulations as set forth in 49 C.F.R. §§ 390 et seq.

5. While being used for behind-the-wheel training on a public road, a vehicle must display conspicuously a sign which states “Student Driver” or the name of the school. The sign must:

(a) Be securely mounted on a vehicle;

(b) Not be constructed of paper; and

(c) Have a background and letters of contrasting colors and be visible at least 100 feet from both the front and rear of the vehicle while operating in traffic.