

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

LCB File No. R074-08

Effective December 17, 2008

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

AUTHORITY: §1, NRS 482.160 and 482.554.

A REGULATION relating to motor vehicles; revising provisions governing the imposition of fines by the Department of Motor Vehicles for certain deceptive trade practices involving motor vehicles; and providing other matters properly relating thereto.

Section 1. Chapter 482 of NAC is hereby amended by adding thereto a new section to read as follows:

1. Any person who has been fined pursuant to the provisions of NRS 482.554 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 NRS 482.554.

2. Upon the failure of a person to pay a fine imposed pursuant to the provisions of NRS 482.554 when it becomes due, the Director may suspend, revoke or refuse to issue any license obtained pursuant to the provisions of this chapter.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File R074-08**

The Department of Motor Vehicles submits the following statement. The Department adopts permanent regulations assigned LCB File R074-08, which pertain to Chapter 482 of the Nevada Administrative Code, a regulation relating to motor vehicles; revising provisions governing the imposition of fines by the Department of Motor Vehicles for certain deceptive trade practices involving motor vehicles.

WORKSHOP	WORKSHOP
9:00 AM Tuesday, September 23 rd , 2008 Washoe County Government Complex (Health Department) 1001 East Ninth Street Building #C Room #110 Reno, Nevada 89512	10:00 AM Friday, September 26 th , 2008 Community College of Southern Nevada Building #C Room #223 Las Vegas, Nevada 89146

Public Workshop Notice Date: August 28, 2008

HEARING
10:00 AM Tuesday, October 21 st , 2008 Washoe County Government Complex (Health Department) 1001 E. 9 th St. Bldg C, Room #110 Reno, Nevada 89512

Public Hearing Notice Date: August 28, 2008

Date of Adoption by Agency: October 30, 2008 and upon approval of Legislative Commission.

INFORMATIONAL STATEMENT

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. The Department of Motor Vehicles noticed public workshops for LCB File R074-08 on August 28th, 2008, by posting at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. The notice was posted at the main office of the public libraries in counties where the Department does not maintain an office. Special notice was also mailed to those persons who have requested to be placed on an Interested Parties special notice mailing list.

The Department of Motor Vehicles noticed public hearings for LCB File R074-08 on August 28th, 2008, by posting at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. The notice was posted at the main office of the public libraries in counties where the Department does not maintain an office. Special notice was also mailed to those persons who have requested to be placed on an Interested Parties special notice mailing list.

No comment or testimony was given by any member of the public at the Public Workshops and Public Hearings. No written comments by any member of the public were submitted to the Department.

A description of how comment was solicited from affected businesses, a summary of their response and an explanation how other interested persons may obtain a copy of the summary: The Department of Motor Vehicles noticed public workshops for LCB File R074-08 on August 28th, 2008 by posting at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. The notice was posted at the main office of the public libraries in counties where the Department does not maintain an office. Special notice was also mailed to those persons who have requested to be placed on an Interested Parties special notice mailing list.

The Department of Motor Vehicles noticed public hearings for LCB File R074-08 on August 28th, 2008 by posting at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. The notice was posted at the main office of the public libraries in counties where the Department does not maintain an office. Special notice was also mailed to those persons who have requested to be placed on an Interested Parties special notice mailing list.

A copy of the minutes for the public workshop and public hearings may be obtained by contacting the Department of Motor Vehicles Compliance Enforcement Division by telephone at (775) 684-4805.

A copy of the minutes for the public workshop and public hearings may be obtained by contacting the Department of Motor Vehicles Compliance Enforcement Division in writing at the following address:

Nevada Department of Motor Vehicles
Compliance Enforcement Division
555 Wright Way
Carson City, Nevada 89711-0900
Attention: Ivie Harper Administrative Assistant III

The number of persons who attended each Public Workshop: Two individuals representing the emission testing industry attended the Public Workshop on September 23rd, 2008, held at the Washoe County Government Complex in Reno. No individuals representing either the public or emission testing industry attended the Public Workshop held on September 26th, 2008, at the Community College of Southern Nevada in Las Vegas.

A summary of questions and comments received at each Public Workshop: At the September 23rd, 2008 regulation workshop held in Reno, one individual representing vehicle dealerships asked if this proposed regulation is an amendment to something that already exists. A Deputy Chief representing the Department of Motor Vehicles Compliance Enforcement Division explained that the new proposed regulation which pertains to deceptive trade is quite similar to another NAC (482.930) which pertains to violations of other provisions to Chapter 482. The new proposed regulation, if adopted gives the Director of the Department of Motor Vehicles the ability to implement penalties for deceptive trade violations.

A summary of written comments submitted to the agency: The notice for Public Workshops invited written comments from the public and affected agencies, with a deadline for written comments to be received by September 22nd, 2008. No written comment was received

The number of persons who attended each Public Hearing: Two individuals attended and provided comment at the Public Hearing held on October 21st, 2008 in Reno.

A summary of testimony at each Public Hearing: One individual representing a vehicle dealership asked if the proposed regulation pertains to dealerships being required to provide disclosure as stated in NRS 482.554 subsection three. The Hearing Facilitator explained that the proposed regulation will, if adopted pertain to violations of section three of NRS 482.554.

A summary of written comments submitted to the agency: The notice for Public Hearings invited written comments from the public and affected agencies, with a deadline for written comments to be received by September 22nd, 2008. No written comment was received.

If the regulation was adopted without changing any part of the proposed regulation, list a summary of the reasons for adopting the regulation without change. The Department of Motor Vehicles has submitted the proposed regulation, to be considered for adoption as originally written.

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

(a) Both adverse and beneficial effects; and

(b) Both immediate and long-term effects.

(a) There is no estimated economic effect on the regulated industry, either adverse or beneficial, nor immediate or long-term.

(b) There is no estimated economic effect on the public, either adverse or beneficial, nor immediate or long-term.

List 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.

List a description of any regulations of other state or government agencies that 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,

list the name of the regulating federal agency: There are no other state or federal government agency regulations that the proposed regulation amendments duplicate.

If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: There are no federal regulations that regulate the same activity as the proposed regulation.

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 or involve a new fee. A total fee amount is not expected to be collected or used.