

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

**LCB File No. R058-15**

Effective December 21, 2015

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

AUTHORITY: §1, NRS 481.051; §2, NRS 481.051, 482.2065, as amended by section 1 of Assembly Bill No. 484, chapter 478, Statutes of Nevada 2015, at page 2814, and NRS 482.265, as amended by section 2 of Assembly Bill No. 484, chapter 478, Statutes of Nevada 2015, at page 2815; §3, NRS 481.051, 482.423, 482.4235, 482.424 and 482.4245; §4, NRS 481.051, 482.160 and 482.3965; §5, NRS 481.051, 482.160 and 482.268; §6, NRS 481.051 and 482.220 and section 1 of Senate Bill No. 404, chapter 326, Statutes of Nevada 2015, at page 1745; §7, NRS 481.051 and 482.160.

A REGULATION relating to license plates for vehicles; providing for the implementation of the reissuance of license plates on a rolling 8-year basis; imposing standards for temporary dealer placards; increasing the fee imposed to defray the cost of producing license plates; setting forth the charge for the inspection of certain vehicles; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Effective July 1, 2015, for the purpose of adopting regulations and performing other preparatory tasks and on July 1, 2016, for implementation and all other purposes, existing law requires the Department of Motor Vehicles to reissue a license plate or plates issued by the Department every 8 years and authorizes the Director of the Department to adopt regulations to provide procedures for such reissuance. (NRS 482.265, as amended by section 2 of Assembly Bill No. 484, chapter 478, Statutes of Nevada 2015, at page 2815) **Section 2** of this regulation prescribes the manner in which the Department will carry out this statutory requirement. Effective on those same dates, existing law also provides an exception to this 8-year reissuance requirement for a trailer with a 3-year registration period by requiring that reissuance occur at the first renewal of the registration that occurs following the eighth year after the current license plate for the trailer was most recently issued. (NRS 482.2065, as amended by section 1 of Assembly Bill No. 484, chapter 478, Statutes of Nevada 2015, at page 2814)

Existing law requires sellers and long-term lessors of vehicles to affix a temporary placard to the rear of a vehicle that is sold or leased. (NRS 482.423, 482.4235, 482.424, 482.4245) **Section 3** of this regulation specifies the manner in which the placard must be constructed and placed on the vehicle. Under existing regulations, a temporary permit to operate a vehicle must contain

three copies, each of a specified color. (NAC 482.276) **Section 4** of this regulation removes the requirement that the three copies be different colors.

Under existing law, the production of a license plate requires payment to the Department of an additional fee to defray the cost of producing the plate. (NRS 482.268) Under existing regulations, this additional fee is \$3. (NAC 482.295) **Section 5** of this regulation increases the fee to \$3.50. Existing law requires the Department to be informed if a vehicle sought to be registered is a specially constructed, reconstructed, rebuilt or foreign vehicle. (NRS 482.220) In connection therewith, existing regulations allow the Department or any of its inspection agents to charge \$1 to inspect such a vehicle. (NAC 482.9005) Existing law also authorizes the Department to establish by regulation a fee for the inspection of a moped upon registration to verify that the vehicle meets the definition of “moped” as provided in statute. (Section 1 of Senate Bill No. 404, chapter 326, Statutes of Nevada 2015, at page 1745) **Section 6** of this regulation allows the \$1 fee to be charged by the Department or any of its inspection agents: (1) for the inspection of the vehicle identification number of a vehicle; and (2) to verify that a vehicle purported to be a moped fits within that statutory definition of a moped. **Section 7** of this regulation repeals two sections made obsolete by statutory changes.

**Section 1.** Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2. 1.** *The Department will, pursuant to subsection 2 of NRS 482.265, as amended by section 2 of Assembly Bill No. 484, chapter 478, Statutes of Nevada 2015, at page 2815, reissue each license plate every 8 years at the time for the renewal of the registration of the vehicle with which the plate is associated.*

*2. If, pursuant to NRS 482.367008, the Director of the Department has issued an order providing that the Department will no longer newly issue a particular design of special license plate, but some number of those plates remain in circulation because the holders of the plates were not required to surrender them to the Department, the Department will reissue such plates in accordance with the 8-year schedule described in subsection 1.*

*3. Upon the eighth year following the initial or previous issue of a license plate, the Department will provide to registered owners holding those plates notice that the plates will be reissued to them.*

*4. When the Department sends or transmits to the registered owner of a vehicle a notice that the registration of the vehicle is due for renewal, the notice of renewal must itemize the fee to defray the cost of producing the license plate which must be paid pursuant to NAC 482.295.*

*5. License plates that are reissued must bear the same combination of letters and numbers as before their reissuance.*

*6. As used in this section, “reissue” and “reissuance” mean a continuous process whereby the Department, following the initial or previous issuance of license plates to the owner or operator of a vehicle, remanufactures and reissues the plates, or causes the remanufacture and reissuance of the plates, to the immediately previous holder of those plates.*

**Sec. 3.** *A temporary placard that is affixed to the rear of a vehicle pursuant to NRS 482.423, 482.4235, 482.424 or 482.4245 must be:*

*1. Placed within the bracket, device or other contrivance that is used to secure the rear license plate; and*

*2. Made of synthetic paper not less than 7 mils thick that is waterproof, resistant to being torn, durable and designed to withstand a high degree of fluctuations in temperature.*

**Sec. 4.** NAC 482.276 is hereby amended to read as follows:

482.276 1. Each temporary permit to operate a vehicle must:

(a) Contain three copies. ~~[The original copy must be blue, the second copy must be green, and the third copy must be white.]~~

(b) Provide a space for the vehicle identification number. The vehicle identification number must be indicated in this space.

(c) Provide a space for the date of the commencement of the permit. The date must be indicated in this space.

(d) Provide a space for a signature. The person issuing the permit must sign his or her name in this space.

(e) Provide space for any additional information required by law or which the Department deems necessary and appropriate.

2. All of the information required to be placed on the permit pursuant to subsection 1 must be written legibly on the permit before it is issued. If the signature on the temporary permit is illegible, the name of the person signing the permit must be printed in a legible manner below the signature. A permit which is not complete or which contains incorrect information is void.

**Sec. 5.** NAC 482.295 is hereby amended to read as follows:

482.295 1. Except as otherwise provided in subsection 2, each person who applies for a license plate for a motor vehicle, trailer or semitrailer must pay a fee of ~~\$31~~ **\$3.50** to the Department pursuant to paragraph (b) of subsection 1 of NRS 482.268 to defray the cost of producing the license plate.

2. A person is not required to pay the fee pursuant to subsection 1 if the cost of producing the license plate is otherwise charged pursuant to chapter 482 of NRS or any regulations adopted pursuant thereto.

**Sec. 6.** NAC 482.9005 is hereby amended to read as follows:

482.9005 Except for a peace officer acting in his or her official capacity, the Department or any of its authorized inspection agents will charge \$1 for ~~the~~ :

*1. The inspection or verification of a vehicle identification number;*

*2. A certificate of inspection of any vehicle described in subsection 1 of NRS 482.220 ~~H~~;*

*or*

*3. The inspection of a vehicle purported to be a moped for verification that the vehicle fits the definition set forth in NRS 482.069.*

**Sec. 7.** NAC 482.284 and 482.288 are hereby repealed.

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## TEXT OF REPEALED SECTIONS

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**482.284 Identification for certain purposes of vehicle licensing fees paid by short-term lessor. (NRS 482.160, 482.313)**

1. For the purposes of enforcing the provisions of NRS 482.313, the fees paid by a short-term lessor for the registration of, and the issuance of certificates of title for, the passenger cars leased by him or her include only the fees paid by a short-term lessor for:

(a) Registration or the transfer of registration pursuant to NRS 482.480;

(b) The issuance of a certificate of title or duplicate certificate of title pursuant to NRS 482.429 and NAC 482.907;

(c) The issuance of any duplicate or substitute certificate of registration, decal or number plate pursuant to subsection 1 of NRS 482.500;

(d) The issuance of any replacement plate or set of plates pursuant to subsection 2 of NRS 482.500;

(e) The issuance of a temporary permit pursuant to subsection 2 of NRS 482.3965;

(f) The issuance of a license plate pursuant to NRS 482.268; and

(g) An inspection pursuant to subsection 3 of NRS 482.220.

2. Such fees do not include:

(a) Delinquent fees and penalties imposed pursuant to NRS 371.140 or 482.515;

(b) Sales or use taxes imposed pursuant to NRS 372.105, 372.185, 374.110, 374.190, 377.040, 377A.030 or 543.600; or

(c) Fees for the reinstatement of registration pursuant to NRS 482.480.

**482.288 Separate listing of certain charges on lease agreement. (NRS 482.160, 482.313)**

1. Each short-term lessor shall list the fee of 6 percent imposed pursuant to subsection 1 of NRS 482.313 on each lease agreement as an item on a line separated from all other listed charges, and shall identify that fee on the lease agreement as “Governmental Services Fee.”

2. If a short-term lessor charges and collects from a short-term lessee a recovery surcharge pursuant to paragraph (c) of subsection 1 of NRS 482.313, the short-term lessor shall list the surcharge on each lease agreement as an item on a line separated from all other listed charges, and shall identify that surcharge on the lease agreement as “Recovery Surcharge.”

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS AS REQUIRED BY  
ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066

LCB FILE NO. R058-15

December 4, 2015

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 366:

1. **A description of the need for the regulation, how public comment was solicited, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

**The Agency's Need for the Adopted Regulation**

This regulation provides for the implementation of the reissuance of license plates on a rolling 8-year basis; clarifies the placement of a temporary dealer placard and the type of paper used; removes the requirement for color copies when issuing a short-term lessor permit; increases the fee to defray the cost of producing license plates; clarifies that the fee for a vehicle identification number (VIN) inspection is \$1, and establishes a fee of \$1 for the inspection of a moped; and repeals sections of chapter 482 of NAC which have been made obsolete due to changes in statute.

**Solicitation of Public Comment**

Copies of the proposed regulation, notices of workshop and notices of intent to act upon the regulations were sent out for posting by electronic mail to all DMV offices and county libraries. They were also sent to all car dealers in Nevada and made available on the Department of Motor Vehicles website at [www.dmvnv.com/publicmeetings.htm](http://www.dmvnv.com/publicmeetings.htm).

A Public Workshop was noticed on October 5, 2015, and held on October 22, 2015 at the Nevada State Legislative Building in Carson City and video-conferenced to the Grant Sawyer Building in Las Vegas and Great Basin College in Elko. 10 members of the general public or industry were in attendance.

A Notice of Intent to Act upon the Regulations was noticed on October 27, 2015, and a public hearing was held on December 4, 2015. The hearing was held at the Department of Transportation (NDOT) in Carson City and video-conferenced to NDOT offices in Las Vegas and Elko. One member of the general public or industry was in attendance.

A recording of the Public Workshop and Hearing is on file with the Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711. Copies of these minutes may be obtained by written request to Attention Pete Olson, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

**2. The number of persons who:**

**(a) Attended the workshop; 15**

**In attendance in Carson City – 9**

Jude Hurin, Department of Motor Vehicles (Workshop Hearing Officer)

Sean McDonald, Department of Motor Vehicles

Donnie Perry, Department of Motor Vehicles

Lea Cartwright, J.K. Belz & Associates

Jessica Smith, Lee Brothers Leasing

Tann Stinnesback, LCB

Barbara Ross, Winkel Family Automotive

Dawn Chavez, Dolan Auto Group

Bridget Shell, Dolan Auto Group

**In attendance in Las Vegas – 5**

Kevin Malone, Department of Motor Vehicles

Denise Bittner, Towbin Automotive

Ralph Tenaglia, Jim Marsh KIA

Paul Gottlieb, Camping World RV Sales

Jodi Simpson, Camping World RV Sales

**In attendance in Elko – 1**

Kathryn Palangi, Department of Motor Vehicles

**(b) Testified at the workshop; 0**

**(c) Submitted to the agency written statements; 0**

**(d) Attended the hearing; 7**

**In attendance in Carson City – 4**

Jude Hurin, Department of Motor Vehicles (Hearings Officer)

Sean McDonald, Department of Motor Vehicles

Donnie Perry, Department of Motor Vehicles

Andrew MacKay, Nevada Franchised Auto Dealers Association

**In attendance in Las Vegas – 1**

Kevin Malone, Department of Motor Vehicles

**In attendance in Elko – 2**

Kim Hetland, Department of Motor Vehicles

John Schifer, Department of Motor Vehicles

**(e) Testified at the hearing – 1**

Andrew MacKay, Executive Director, Nevada Franchised Auto Dealers Association



Mr. MacKay wanted to go on record to say the NFADA is in full support of the Department's proposed regulations. He also wanted a clarification as to whether this is a regulation workshop or regulation hearing.

Jude Hurin responded that this is the public regulation hearing.

**(f) Submitted to the agency written statements – 0**

**3. 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.**

Comments were solicited using electronic mail and postings as described in Question 1 for both the Workshop and the Hearing. Copies of the minutes may be obtained by written request to Attention Pete Olson, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

**4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The proposed draft regulations were submitted to LCB for review on July 17, 2015. At the Workshop, the Department put on record that the license plate reissue provisions exempting certain plates would be removed from the regulations. These provisions were subsequently removed in LCB's review. The regulations were adopted with these changes.

**5. 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:**

**Business:**

**(a) Both adverse and beneficial effects; and**

Adverse: business owners will be required to obtain and pay the fee for new license plates for business owned vehicles every eight years.

Beneficial: No immediate or long-term economic benefit. License plate reissue is a benefit to public safety.

**(b) Both immediate and long-term effects.**

Same as (a) above.

**Public:**

**(a) Both adverse and beneficial effects; and**

Adverse: registered owners of vehicles will be required to obtain and pay the fee for new license plates every eight years.

Beneficial: No immediate or long-term economic benefit. License plate reissue is a benefit to public safety.

**(b) Both immediate and long-term effects.**

Same as (a) above.

6. **The estimated cost to the agency for enforcement of the adopted regulation.**  
There is no additional cost to the Department of Motor Vehicles for the enforcement of the adopted regulations.

7. **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, the name of the regulating federal agency.**  
There are no other state or federal government agency regulations that are duplicated or overlapped by the adopted regulations.

8. **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 addressed in the adopted regulations.

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.**

Section 5

The proposed regulation increases the License Plate Cost Recovery Fee from \$3.00 per plate to \$3.50 per plate. The fee is used to offset the cost of manufacturing and mailing license plates.

- The increase in the License Plate Cost Recovery Fee is estimated to begin by January 1, 2016.
- License Plate Reissue implementation date is July 1, 2017. The license plate factory will begin issuing up to 700,000 additional plates per year.

	FY16	FY17
Projected Revenue: Plate Cost Recovery Fee, \$3.50 per plate	\$3,242,239	\$5,668,383

Section 6

The proposed regulation establishes a fee of \$1.00 for the inspection of a moped; to determine that the vehicle qualifies as a moped for the purposes of meeting registration requirements pursuant to SB404 of the 2015 Legislative Session.

- During the 2015 Legislative Session the Department estimated the number of moped registrations in a fiscal note submitted for SB404 (BDR 43-1016). Those estimates are shown in the table below.

	FY17	Estimated Revenue	FY18	Estimated Revenue	FY19	Estimated Revenue
Estimated number of moped registrations	450	\$450.00	5	\$5.00	4	\$4.00

**10. Small Business Impact Statement**

In compliance with Assembly Bill 408 of the 2013 Legislative Session the Department of Motor Vehicles has determined that the adopted regulation does not impose a direct and significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small businesses.