

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

LCB File No. R058-15

October 26, 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 millimeters 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.

TEXT OF REPEALED SECTIONS

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.”