

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE NO. R080-22**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 482.

1. A clear and concise explanation of the need for the adopted regulation.

During the interim period between the 2021 and 2023 Legislative Sessions, DMV management were alerted by the staff of the License Plate Factory (LPF) and Central Services Division (CSD) that raw materials for the manufacture of license plates were becoming more difficult to obtain and that costs for purchasing the materials were increasing at a faster than anticipated rate. The Department's Administrative Services Division (ASD) staff reviewed the situation and determined that these issues resulted in an adverse impact on budget account (BA) 4712, which has a target of \$1 million in its reserve each year. When the reserve fluctuates either direction, DMV/LPF needs to make an adjustment to the revenue. Two main revenue sources are the fees collected for license plates (standard only are charged the \$3.50) and Special Plates Reimbursement. When setting the cost to the consumer, the goal for DMV is to have a strong expenditure forecast for a 3-year period to establish the necessary revenue collection. This means projecting expenditures for a 3-year period and projections for license plate production (both standard and specialty). DMV works to set the cost to support the projected expenditures for those 3 years, including developing a savings to support potential large future expenditures, all while keeping with the standard \$1 million reserve, and at the same time not amassing too large of a reserve.

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

Comments were solicited using electronic mail and postings for both the Workshop and the Hearing, and during the public meetings themselves. No suggestions for change were offered at either workshop or hearing, and no requested changes were submitted to the Department during the process. They were also made available on the Department of Motor Vehicles website at www.dmvnv.com/publicmeetings.htm. Persons who would like a copy of the proceedings and comments for this process may contact the Research and Project Management Division of the Department of Motor Vehicles, 555 Wright Way, Carson City, NV 89711; email mhefner@dmv.nv.gov.

3. **The number of persons who:**
(a) **Attended each hearing (remote meetings held via Webex and GoToMeeting, no physical location was held for these):**

1. **Workshop - __2__**

2. **Hearing __1__**

(b) **Testified at the hearing- 0**

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

4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity of organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.**

See attached Exhibit A

5. **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 from interested participants was obtained through the workshops and hearings held on the topic, and during notification periods when the public meetings were posted. There were no responses or comments offered from affected businesses or other organizations. Other persons wishing to obtain a summary of the regulations adoption proceedings may contact:

Department of Motor Vehicles
Attn: Research and Project Management Division
555 Wright Way
Carson City, NV 89711
Southern NV- (702) 486-4368
Northern NV- (775) 684-4368
Email: mhefner@dmv.nv.gov

6. **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 Department provided draft conceptual language to the Legislative Counsel Bureau (LCB) for the regulation provisions; LCB then crafted the language, which the Department did not contest and considered sufficient.

- 7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

(a) Business:

i. Both adverse and beneficial effects; and

ii. Both immediate and long-term effects.

The main purpose of this amendment to the regulations is to give greater flexibility to the Department to assess plate recovery fee levels to ensure that costs are covered for the manufacture of license plates for both regular and commercial vehicles. It will be beneficial to businesses in that the Department will be able to continue to provide their vehicles with the required identification devices necessary to operate their vehicles on the roads and they won't have to wait or delay their operations due to slowdowns or delays in plate issuance. Adverse effects will be reflected in the increase in the plate fees themselves, which will add a minor incremental amount to the cost of doing business and registering vehicles.

(b) Public:

i. Both adverse and beneficial effects; and

ii. Both immediate and long-term effects.

No severe adverse impact to the general public is estimated; the Department anticipates that the public will benefit overall through ensuring that the plate factory continues uninterrupted operations and issuance of plates for their vehicles in a timely manner, despite the minor adverse effect due to the increase in costs for issuance.

- 8. The estimated cost to the agency for enforcement of the adopted regulation.**

The Department incurs a standard amount of costs (\$342.00) for the general development of regulations. There is no anticipated additional cost to the Department for the enforcement of the adopted regulations, aside from the increase in the fee itself to cover the costs for plate production.

- 9. 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.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

N/A

- 11. 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.**

Suggested cost per plate increase effective January 2023 of .30 cents will generate about \$297,333 per year – needed for material cost and operating cost increases. If the material costs decline, the additional funding can be considered to purchase a generator for the factory.

NRS 233B.066 Informational statement required concerning adopted permanent or temporary regulation; contents of statement.

1. Except as otherwise provided in subsection 2, each adopted regulation which is submitted to the Legislative Counsel pursuant to NRS 233B.067 or filed with the Secretary of State pursuant to subsection 2 or 3 of NRS 233B.070 must be accompanied by a statement concerning the regulation which contains the following information:

- (a) A clear and concise explanation of the need for the adopted regulation.
- (b) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.
- (c) The number of persons who:
 - (1) Attended each hearing;
 - (2) Testified at each hearing; and
 - (3) Submitted to the agency written statements.
- (d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:
 - (1) Name;
 - (2) Telephone number;
 - (3) Business address;
 - (4) Business telephone number;
 - (5) Electronic mail address; and
 - (6) Name of entity or organization represented.
- (e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.
- (f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.
- (g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:
 - (1) Both adverse and beneficial effects; and
 - (2) Both immediate and long-term effects.
- (h) The estimated cost to the agency for enforcement of the proposed regulation.
- (i) A description of any regulations of other state or government 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.
- (j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.
- (k) 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.

2. **The requirements of paragraphs (b) to (f), inclusive, of subsection 1 do not apply to emergency regulations.**

(Added to NRS by 1981, 186; A 1987, 1581; 1989, 572; 1995, 131, 2580; 2003, 2006; 2011, 379; 2013, 78)

EXHIBIT A

Attendees at Public Workshops/Hearings for R080-22

Name	Organization	Address	Phone Number	Email	Testified? (Y/N)
George Hritz	Nevada Taxpayers Assoc.	116 E. 7 th St., #202, Carson City, NV 89701	775-882-2697	info@nevadataxpayers.org	N
Gabriele McGregor	Ferraro Group	165 W. Liberty St., Ste. 210 Reno, NV 89501	775-331-4555	gabriele@theferrarogroup.com	N