

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS
AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
LCB FILE NO. R125-15
May 20, 2016

1. The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) *Chapters 386, 482, 484D and 706.*

- (a) A clear and concise explanation of the need for the adopted regulation:

These regulations are being proposed by the Department of Motor Vehicles (DMV) to establish criteria for the qualifications of farmer/ranchers to claim a refund of 80 percent of the taxes paid on bulk purchases of special fuel, and to revise certain references to "implements of husbandry" in regulatory language.

- (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.

Public comment for these regulations was solicited through the holding of two (2) public meetings, one workshop and one hearing, both of which were held in 2016 in three different locations in the state (Las Vegas, Elko and Carson City); before each of these meetings were held, members of the public were able to submit written comments to the Department for consideration, and during the meetings themselves opportunity was available for members of the public to attend and give their comments to the Department in person. Copies of the notice for hearings were posted at all Department office locations and public libraries in those counties where the Department does not maintain an office.

Public response to the proposed regulations was minimal; a total of two persons attended the first workshop held on the regulations and no other persons submitted written comments. For the final hearing, no persons attended at any of the hearing locations, and no other written comments were submitted.

Persons interested in obtaining a copy of materials associated with the development of the regulations may contact the Department's Management Services and Programs Division office in Carson City and request a copy of the text of the proposed language for the regulations at any time during business hours.

- (c) The number of persons who:

(1) Attended each hearing _____

In attendance in Carson City 2

In attendance in Las Vegas 0

In attendance in Elko [Include as applicable] __0__

(2) Testified at the hearing _0__

(3) Submitted to the agency written statements __0__

(d) For each person identified in subparagraphs (2) and (3) of paragraph (c)

(e) 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.

Public comment from affected businesses was solicited through the holding of two (2) public meetings, one workshop and one hearing, both of which were held in 2016 in three different locations in the state (Las Vegas, Elko and Carson City); before each of these meetings were held, industry representatives were able to submit written comments to the Department for consideration, and during the meetings themselves opportunity was available for members of the public to attend and give their comments to the Department in person. In addition to the distribution of the public notices at all Department office locations and public libraries in those counties where the Department does not maintain an office, notice and copies of the documentation were also sent to industry associations for review and comment opportunity.

Industry response to the proposed regulations was more active than the general public; a total of two persons (one governmental, one business) attended the first workshop held on the regulations and no other persons submitted written comments. In between the two meetings, the Department held informal discussions with industry representatives and affected business interests to solicit comments on draft language and offer suggestions for revision. For the final hearing, no persons attended at any of the hearing locations, and no other written comments were submitted.

As with the general public, business groups and persons interested in obtaining a copy of materials associated with the development of the regulations may contact the Department's Management Services and Programs Division office in Carson City and request a copy of the text of the proposed language for the regulations at any time during business hours.

(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.

N/A

- (g) 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:

- (1) Both adverse and beneficial effects; and
- (2) Both immediate and long-term effects.

The Department has determined that the adopted regulation(s) do not impose a direct and significant burden on small businesses, nor will it restrict the formation, operation or expansion of a small business.

Through the deletion of the implements of husbandry language and imposition of criteria for special fuel tax refunds, eligible farmer/rancher applicants will benefit from a process to ensure compliance, simplify record-keeping, and receive tax refund benefits.

Public:

- (1) Both adverse and beneficial effects; and
- (2) Both immediate and long-term effects.

N/A

- (h) The estimated cost to the agency for enforcement of the adopted regulation.

N/A

- (i) 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.

N/A

- (j) 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

- (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.

N/A