

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

**LCB File No. R116-09**

February 8, 2010

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

AUTHORITY: §§1-6, NRS 482.281.

A REGULATION relating to motor vehicles; authorizing certain approved inspectors to renew certificates of registration for motor vehicles at an authorized emissions inspection station or an authorized station; and providing other matters properly relating thereto.

**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.** *“Approved inspector” has the meaning ascribed to it in NRS 445B.705.*

**Sec. 3. 1.** *The Department may authorize an approved inspector to renew certificates of registration for motor vehicles at an authorized inspection station or an authorized station that participates in the program if the approved inspector:*

*(a) Satisfactorily completes a course of instruction provided for that purpose by the Department;*

*(b) Submits an application to the Department on a form provided by the Department; and*

*(c) Provides any other information that the Department may require.*

**2.** *The Department will not authorize an approved inspector to renew certificates of registration for motor vehicles at an authorized inspection station or an authorized station that participates in the program if the approved inspector:*

*(a) Has ever been convicted of a felony for committing a crime involving moral turpitude, including, without limitation:*

*(1) A deceptive trade practice;*

*(2) Embezzlement; or*

*(3) Fraud; or*

*(b) Has been convicted of any other felony within the immediately preceding 7 years.*

**Sec. 4.** NAC 482.700 is hereby amended to read as follows:

482.700 As used in NAC 482.700 to 482.765, inclusive, *and section 3 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 482.705, 482.710 and 482.715 *and section 2 of this regulation* have the meanings ascribed to them in those sections.

**Sec. 5.** NAC 482.720 is hereby amended to read as follows:

482.720 To be eligible to participate in the program, an authorized inspection station or authorized station must not:

1. Have committed any violation set forth in NRS 445B.790;

2. ~~Employ or be~~ **Be** owned, in whole or in part, by any person who ~~has~~ :

*(a) Has ever* been convicted of a felony for committing a crime involving moral turpitude, including, without limitation:

~~[(a)]~~ *(1) A deceptive trade practice;*

~~[(b)]~~ *(2) Embezzlement; or*

~~[(e)]~~ *(3) Fraud; or*

*(b) Has been convicted of any other felony within the immediately preceding 7 years.*

3. Have issued a check to the Department in payment of the fee to obtain forms certifying emission control compliance set forth in NRS 445B.830 that was returned for insufficient money or credit to pay the check; or

4. Possess a license from the Department to engage in the activities of:

(a) A vehicle transporter pursuant to the provisions of NRS 482.3161;

(b) A broker of vehicles pursuant to the provisions of NRS 482.333;

(c) Dismantling, scrapping, processing or wrecking a vehicle pursuant to the provisions of NRS 487.050;

(d) Operating a salvage pool pursuant to the provisions of NRS 487.410; or

(e) Operating a body shop pursuant to the provisions of NRS 487.610.

**Sec. 6.** NAC 482.760 is hereby amended to read as follows:

482.760 1. During the period of its participation in the program, an authorized inspection station or authorized station:

(a) Shall:

(1) Be open to the public for the renewal of certificates of registration for motor vehicles at least Monday through Friday from 8 a.m. to 5 p.m., except on the holidays set forth in NRS 236.015;

(2) Employ at the station at least one approved inspector whose duties include the renewal of certificates of registration for motor vehicles and who is ~~licensed pursuant to the provisions of NAC 445B.485 to 445B.502, inclusive;~~ *authorized by the Department to renew certificates of registration for motor vehicles pursuant to section 3 of this regulation;*

(3) Maintain the records relating to the program where the renewal of certificates of registration for motor vehicles are issued;

(4) Authorize the Department or any person designated by the Department to conduct audits of the station's records relating to the program:

(I) Within 3 months after the authorized inspection station or authorized station begins issuing the renewal of certificates of registration for motor vehicles;

(II) At least once every 12 months after completion of the initial audit; and

(III) At any other time requested by the Department;

(5) Use software that is issued and installed in an exhaust gas analyzer by the Department to process the renewal of certificates of registration for motor vehicles; and

(6) Deposit the money it has collected from the renewal of certificates of registration for motor vehicles with the Department at the location designated by the Department. The deposits must be made:

(I) Not less than once each calendar week;

(II) If the money accumulated for deposit is \$10,000 or more, not later than the next business day; and

(III) In the same form as received from each customer.

(b) Shall not:

(1) ~~Employ a person~~ *Allow an employee who is not an approved inspector authorized by the Department pursuant to section 3 of this regulation* to renew certificates of registration for motor vehicles ; ~~unless the person:~~

~~(I) Completes a course of instruction provided for that purpose by the Department; and~~

~~(II) Receives from the Department a certificate of completion for the course;~~

(2) Charge a fee of more than \$10 to renew a certificate of registration for a motor vehicle;

(3) Use or allow its employees to use:

(I) False, deceptive or misleading advertising to induce a person to renew the certificate of registration for his motor vehicle at that authorized inspection station or authorized station; or

(II) The State Seal in any advertisement for the renewal of a certificate of registration for a motor vehicle; or

(4) Use or allow its employees to use the name or initials of the Department in any advertisement, unless:

(I) The Department authorizes such use;

(II) The Department provides the image, logo, emblem or other design containing the name or initials of the Department that is to be used in the advertisement; and

(III) The authorized inspection station or authorized station, as applicable, complies with the terms of the Department's authorization, including, without limitation, any conditions imposed by the Department upon the use of its name or initials.

↪ An advertisement described in this subparagraph must comply with any other applicable provisions of this chapter and must not state or imply that the Department endorses the applicable authorized inspection station or authorized station.

2. As used in this section, "exhaust gas analyzer" means a device for sensing the amount of air contaminants in the exhaust emissions of a motor vehicle.