

LCB File No. T020-98

ADOPTED TEMPORARY REGULATION OF THE DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY

Chapter 482 of NAC is hereby amended by amending sections 5 and 6 (NAC 482.465 and 482.470) of LCB File No. R162-97 as follows:

Sec. 5. (NAC 482.465) Except as otherwise provided in section 6 (NAC 482.470) of this regulation, the department will charge a local authority a fee of [~~\$1~~] \$5. each time the department creates, maintains or revises a record concerning a notice of nonpayment, including, without limitation each time the department:

1. Accept or receives such a notice of nonpayment; and

2. Releases from the records of the department such a notice of nonpayment:

(a) In accordance with subsection 1 of NRS 482.2805, upon presentation to the department of a receipt issued by the local authority pursuant to NRS 482.2807;

(b) Upon receipt of notice from the local authority indicating that the notice of nonpayment was created in error: or

(c) In accordance with subsection 6 of NRS 482.2805.

Sec. 6. (NAC 482.470) 1. A notice of nonpayment may be released by either the department or the local authority upon full payment from or on behalf of the registered owner named on the notice.

2. The department will not charge the local authority more than one time for the release of a notice of nonpayment.

3. The department will not charge the local authority more than \$1. for each transaction of a notice of nonpayment, when the notice of nonpayment record is removed from the files of the department under the provisions of NRS 482.2805.6.

November 13, 1998
INFORMATION STATEMENT, TEMPORARY REGULATIONS
AMENDING PREVIOUSLY ADOPTED REGULATIONS, LCB FILE NO. R162-97

The following statement is submitted for temporary regulations amending previously adopted regulations, Nevada Administrative Code, Chapter 482.

The Department of Motor Vehicles and Public Safety noticed and held public workshops on August 18, 1998 and August 20, 1998 to solicit information and opinion on proposed regulations providing for an increase from the current fee of \$1. to a fee of \$5. to be charged to participating local authorities for the processing, by the department, of each notice of non payment of a parking violation, submitted by the local authority, pursuant to NRS 482.2805.

15 days prior to the date of the workshop, notice of the public workshops was posted at the State Library and each office of the department along with a copy of the proposed regulations. Additionally, a copy of the notice and a copy of the proposed regulations was mailed to District, Justice and Municipal courthouses throughout Nevada. One person, representing the North Las Vegas Municipal Court presented testimony.

The notice of public hearing and complete copies of the proposed regulations were posted on or before September 19, 1998 at the Nevada State Library and each office of the department of Motor Vehicles and Public Safety. In each county where the department does not maintain an office the notice was posted at the main office of the public library.

Public hearing were held on October 20, 1998 in Reno and on October 22, 1998 in Las Vegas. One person, representing the North Las Vegas Municipal Court appeared at the hearing to present testimony. No written submissions were received. The regulation were adopted with changes due to testimony presented.

There is no adverse economic effects of this temporary regulation to the department. There is minimal adverse economic effect on the local authorities because the fee increase will apply only when a parking fine is cleared from the files of the department due to payment of the outstanding fine to the local authority.

Beneficial economic effects of the proposed regulations are immediate and long term. The increase in the processing fee to \$5. for those parking violation which are paid, is needed to defraying the cost of the program. Local authorities will continue to benefited by the program and have collected, since January 1998, in excess of \$600,000.00 in previously uncollected parking violations. Additionally, the increased fee will not apply to unpaid parking violations which remain uncollected.

This regulation imposes an increase in the current fee of \$1. to a new fee of \$5. The disposition of fees collected pursuant to this regulation is established in NRS 482.2805.1. As this is a volunteer program, revenue increases are uncertain.

There are no other state or government regulations which the proposed regulations duplicate. There is no estimated cost to the department, for the enforcement of this regulation.