

**LCB File No. R062-00**

**PROPOSED REGULATION OF THE DEPARTMENT OF  
MOTOR VEHICLES AND PUBLIC SAFETY**

Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as section 1 of this regulation.

Section 1.

- 1. The department shall, upon receiving an order from a court to suspend the registration of each motor vehicle that is registered to or owned by a person convicted of a second or subsequent violation of NRS 484.379 or 484.3795 within 7 years, send a certified notice of suspension for each such motor vehicle, and shall require the return to the department of the license plates and certificate of registration of each such motor vehicle.*
- 2. Upon return of the certificate of registration and the license plates to the department, the department shall:
  - (a) Remove the decal from the vehicle license plates and return the plates to the individual,*
  - 2. Indicate on the individual's record that the certificate of registration and the license plate decal have been surrendered to the department.*
  - 3. Destroy the surrendered decal and the certificate of registration.**
- 3. When the term of suspension has expired and upon payment of the required reinstatement fee, the department shall:
  - 1. reinstate the registration suspension of each vehicle for which a reinstatement fee has been paid,*
  - 2. issue a duplicate decal and certificate of registration to the individual for no fee, unless:
    - (1) The vehicle registration has expired,*
    - (2) The vehicle registration is suspended for another reason, or*
    - (3) The license plates have been surrendered to the department.***
- 4. If a registration which has been suspended in accordance with AB542 has not been reinstated within 18 months after the date of expiration of the registration certificate, the*

*department will allow the license plate number to become available for re-issuance to the general public.*

- 5. If license plates have been surrendered to the department, the applicant must submit all applicable registration fees in addition to required reinstatement fees prior to reissuance of a new registration certificate, decal and license plates.*

# INFORMATIONAL STATEMENT

Regulations under NAC 482

Subject: REGISTRATION SUSPENSION FOR 2ND OR SUBSEQUENT DUI OFFENSE

1. Public Comment was solicited through the posting of notices at the following locations:

ESMERALDA COUNTY  
GOLDFIELD PUBLIC LIBRARY  
PO BOX 430  
(FOURTH & CROOK STREET)  
GOLDFIELD NV 89013

EUREKA BRANCH LIBRARY  
PO BOX 293  
(10190 MONROE STREET)  
EUREKA NV 89316

LANDER COUNTY  
BATTLE MOUNTAIN BRANCH LIBRARY  
625 BROAD STREET  
BATTLE MOUNTAIN NV 89820

LINCOLN COUNTY LIBRARY  
PO BOX 330  
(93 MAIN STREET)  
PIOCHE NV 89043

MINERAL COUNTY LIBRARY  
PO BOX 1390  
(FIRST & A STREET)  
HAWTHORNE NV 89415

PERSHING COUNTY LIBRARY  
PO BOX 781  
(1125 CENTRAL AVENUE)  
LOVELOCK NV 89419

STOREY COUNTY LIBRARY  
PO BOX 14  
(95 SOUTH R STREET)  
VIRGINIA CITY NV 89440

NEVADA DMV & PS  
305 GALLETTI WAY  
RENO NV 89512

NEVADA DMV & PS  
8250 W. FLAMINGO  
LAS VEGAS NV 89147

NEVADA DMV & PS  
3920 EAST IDAHO STREET  
ELKO NV 89801

NEVADA DMV & PS  
PO BOX 248  
178 AVENUE F  
ELY NV 89301

NEVADA DMV & PS  
973 W WILLIAMS ST  
FALLON NV 89406

NEVADA DMV & PS  
4021 W CAREY  
NORTH LAS VEGAS NV 89030

NEVADA DMV & PS  
PO BOX 1912  
TONOPAH NV 89049

NEVADA DMV & PS  
3505 CONSTRUCTION WAY  
WINNEMUCCA NV 89445

NEVADA DMV & PS  
215 WEST BRIDGE STREET  
YERINGTON NV 89447

NEVADA DMV & PS  
1694 COUNTY ROAD  
MINDEN NV 89423

NEVADA DMV & PS  
555 WRIGHT WAY  
CARSON CITY NV 89711-0400

MINERAL COUNTY LIBRARY  
PO BOX 1390  
HAWTHORNE NV 89415  
(FIRST & A STREET)

PERSHING COUNTY LIBRARY  
PO BOX 781  
LOVELOCK NV 89419  
(1125 CENTRAL AVENUE)

STOREY COUNTY LIBRARY  
PO BOX 14  
VIRGINIA CITY NV 89440  
(95 South R Street)

Summary of Public Response:

1. There was no public response received through appearance at the scheduled workshop or in writing to the department.
2. Comment from effected business was solicited through:

Business comments were solicited through the posting of public notices as noted in Section 1.

Summary of business response:

In the Las Vegas workshop the following comments were made regarding the proposed regulations for Chapter 482 regarding registration suspension for a second or subsequent DUI conviction.

Mr. Ed Bicard stated that the regulation sounded good, but asked:

1. Why suspend the vehicle?
2. What if it's a family vehicle and used by other family members?
3. Is there a reinstatement fee involved?

Dana Mathiesen indicated that the law gives the court the authority to suspend one or more vehicles registered to the offender and that the judges could take into consideration whether other family members would need to use the vehicle. DMV would only suspend the vehicle registration per court order. The reinstatement fee per vehicle is \$33.00.

Mr. Harold Giron asked what the rationality was behind this legislation?

Dana responded that it was not a bill submitted by the department, it was passed through the Legislature and becomes effective on October 1, 2000.

Mr. Virgil Jackson stated to Mr. Giron that he needed to take this up with the Legislature, and that there were other issues that needed to be discussed and Mr. Giron responded that they were here to brainstorm the laws and determine what needs to be changed.

Dana stated that changes in statute needed to go through the legislative process.

3. There is no economic effect on the public created by these regulations.
4. There is no economic effect on businesses created by these regulations.

5. There is no cost to the agency for enforcement of these regulations.
6. These regulations do not duplicate or overlap any other state or government regulations.
7. These regulations will be proposed for adoption as written.