

LCB File No. R087-03

PROPOSED REGULATION OF THE DEPARTMENT
OF MOTOR VEHICLES

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

AUTHORITY: Senate Bill 405 of the 2003 Legislative Session.

Chapter 482 of NAC is hereby amended by adding thereto a new section to read as follows:

Section 1. “Fleet” defined.

A “fleet” means 10 or more vehicles actively registered with the Department to the same person or business.

Sec. 2. “Fleet Owner” defined.

“Fleet Owner” mean the person or business name that appears on the department’s record as having 10 or more vehicles registered to them.

Sec. 3. “Program” defined.

“Program” means the program described in NRS 482.293.

Sec. 4. Eligibility.

1. To be eligible to participate in the program, a fleet owner must:

- (a) Have been continuously licensed as a business for not less than 1 year immediately preceding the date of application;*
- (b) Not have knowingly issued payment to the department that was returned for insufficient money or credit within 1 year immediately preceding the date of application; and*
- (c) If the fleet owner has a business license issued by the Department, the fleet owner must:*
 - (1) Have been continuously licensed by the department for not less than 1 year immediately preceding the date of application;*
 - (2) Not have had a license to engage in an occupation or business that is regulated by the department revoked;*

- (3) *Have satisfactorily conducted business in accordance with the provisions of chapter 482 of NRS for not less than 1 year immediately preceding the date of application:*
- (4) *Not have knowingly issued payment to the department that was returned for insufficient money or credit within 1 year immediately preceding the date of application; and*
- (5) *Not have committed:*
 - (aa) *A violation of any provisions of the Nevada Revised Statutes or Nevada Administrative Code that resulted in the imposition of an administrative fine by the department or the suspension of a license to engage in an occupation or business that is regulated by the department within 1 year immediately preceding the submission of the application; or*
 - (bb) *A subsequent violation of any provision of the Nevada Revised Statutes or Nevada Administrative Code that resulted in the imposition of an additional administrative fine by the department or the suspension of such a license by the department within the 3 years immediately preceding the submission of the application.*

2. *The Department may deny an application of a fleet owner to participate in the program if the fleet owner is owned in whole or in part by, or employs any person who has been convicted of or pleaded nolo contendere to:*

- (a) *A felony or gross misdemeanor; or*
- (b) *A misdemeanor in violation of the provisions of this chapter or chapter 482 of NRS*

Sec. 5 Application

An owner of a fleet who wishes to participate in the program must:

- 1. *Submit an application to the department on a form provided by the department; and*
- 2. *Provide any additional information the department may require to evaluate the application.*

Sec. 6. Contract

Before a fleet owner may participate in the program, the fleet owner must enter into a contract with the department. The contract must set forth the procedure for issuing and renewing a certificate of registration or certificate of title for a motor vehicle.

Sec. 7. *Duties of and restrictions on participants.*

During the period of participation in the program, a fleet owner

1. *Shall:*

- (a) Maintain the records relating to the program for a period of 3 years.*
- (b) Authorize the department or any person designated by the department to conduct audits of the records relating to the program:*
 - (1) Within 3 months after the fleet owner begins issuing and renewing certificates of registration;*
 - (2) At least once every 12 months after the completion of the initial audit; and*
 - (3) At any other time requested by the department.*
- (c) Deposit the money collected at a Department Field Service office as designated by the department:*
 - (1) Not less than once each week; or*
 - (2) If \$10,000 or more fees are due not later than the end of the next business day.*
- (d) Maintain and restrict access to a secure area on the premises of the fleet owner used for the storage of documents, forms and other supplies provided by the department for the program.*

2. *Shall not:*

- (a) Issue or renew a certificate of registration for a motor vehicle:*
 - (1) For which an exemption from the governmental services tax set forth in NRS 371.103 or 371.104 is claimed; or*
 - (2) That includes a change of name.*
- (b) Employ a person to issue or renew a certificate of registration or title for a motor vehicle who has not completed a course of training provided by the department and received a certificate of completion for the course from the department.*

Sec. 8. *Grounds for termination of participation.*

The department may terminate the participation of a fleet owner in the program. The grounds for termination include, without limitation:

- 1. The failure of the fleet owner to maintain a fleet of vehicles;*
- 2. The failure of the fleet owner to comply with the applicable provisions of this chapter;*
- 3. A violation of any provision of the contract required by NAC 482.XXX.*

Sec. 9. *Specifications for electronic transmission will be on file with the department. A copy of the specifications may be obtained by writing to:*

Department of Motor Vehicles

Management Services and Programs Division

Vehicle Program Section

555 Wright Way

Carson City, NV 89711