

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

LCB File No. R087-03

January 26, 2004

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

AUTHORITY: §§1-12, NRS 482.160 and 482.293.

Section 1. Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 12, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Document” has the meaning ascribed to it in NRS 482.292.*

Sec. 4. *“Fleet” means 10 or more vehicles registered with the Department to the same person or business.*

Sec. 5. *“Fleet owner” means a person or business that has 10 or more vehicles registered with the Department in the name of that person or business.*

Sec. 6. *“Program” means the program for the electronic submission and storage of documents established by the Department pursuant to NRS 482.293.*

Sec. 7. 1. *To be eligible to apply to participate in the program, a fleet owner must:*
(a) Have been licensed continuously as a business for not less than 1 year immediately preceding the date of application.

(b) Not have knowingly issued a payment to the Department that was returned for insufficient money or credit within 1 year immediately preceding the date of application.

(c) If the fleet owner has a business license issued by the Department:

(1) Have been licensed continuously 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 conducted business satisfactorily in accordance with chapter 482 of NRS for not less than 1 year immediately preceding the date of application.

(4) Not have knowingly issued a payment to the Department that was returned for insufficient money or credit within 1 year immediately preceding the date of application.

(5) Not have committed:

(I) A violation of any provision 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

(II) Two or more violations 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 felony, gross misdemeanor or a misdemeanor in violation of the provisions of this chapter or chapter 482 of NRS.

Sec. 8. *A fleet owner who wishes to participate in the program must:*

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

Sec. 9. *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. 10. *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 of the fleet owner 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 any money due to be paid at a field service office of the Department as designated by the Department:*
 - (1) Not later than 1 week after the fees are due; or*
 - (2) If fees in the amount of \$10,000 or more are due, not later than the end of the next business day after the date the fees are due.*

(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 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. 11. *The Department may terminate the participation of a fleet owner in the program.*

The grounds of 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;

and

3. A violation of any provision of the contract required by section 9 of this regulation.

Sec. 12. *The Department will maintain specifications for the electronic transmission of a document by a fleet owner that participates in the program. A copy of the specifications may be obtained, without charge, from the Department of Motor Vehicles, Division of Management Services and Programs, Vehicle Program Section, 555 Wright Way, Carson City, NV 89711.*