

LCB File No. R008-05

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

(This proposed regulation was previously adopted as T010-05)

Explanation: Matter in *bold italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

Authority: NRS 482.281

NAC 482.760 is hereby amended to read as follows:

NAC 482.760 Duties of and restrictions on participants. (NRS 482.281)

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;

(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 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; or

(3) Use or permit 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 name of the Department or]~~ ~~T~~~~h~~e State Seal in any advertisement for the renewal of a certificate of registration for a motor vehicle~~[-];~~ *or*

(III) The name of the Department in any advertisement for the renewal of a certificate of registration for a motor vehicle, unless the Department has provided the image, logo or other material containing the Department's name to the authorized inspection station or authorized station with authorization to use the image, logo or other material, including any conditions for use. Any advertisement containing the Department authorized material must not state, or imply, that the Department endorses their station and must comply with the provisions of this Chapter.

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.