

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

**LCB File No. R008-05**

June 15, 2005

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

AUTHORITY: § 1, NRS 482.281.

A REGULATION relating to registration; revising provisions related to the use of the name of the Department of Motor Vehicles in advertisements; and providing other matters properly relating thereto.

**Section 1.** NAC 482.760 is hereby amended to read as follows:

482.760 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;

~~for~~

(3) Use or ~~permit~~ *allow* 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 the}~~ State Seal in any advertisement for the renewal of a certificate of registration for a motor vehicle ~~{ }~~; or

*(4) Use or allow its employees to use the name or initials of the Department in any advertisement, unless:*

*(I) The Department authorizes such use;*

*(II) The Department provides the image, logo, emblem or other design containing the name or initials of the Department that is to be used in the advertisement; and*

*(III) The authorized inspection station or authorized station, as applicable, complies with the terms of the Department's authorization, including, without limitation, any conditions imposed by the Department upon the use of its name or initials.*

*↪ An advertisement described in this subparagraph must comply with any other applicable provisions of this chapter and must not state or imply that the Department endorses the applicable authorized inspection station or authorized station.*

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.