

LCB File No. R002-08

**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: NRS 482.206; 482.482; 482; 371.070; 371; 706.841; 706 and AB5 of the 74th Session of the Nevada Legislature

Regulations relating to the registration of certain motor vehicles

Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as sections 1 to 3 of this regulation:

Section 1 NAC 482.206 is hereby amended to read as follows:

1. Effective upon passage of regulation the registration period for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) is as follows:

- (a) Period one (1) beginning January 1 ending December 31;*
- (b) For the period of registration ending December 31 all fleet renewal documentation is due and must be postmarked on or before December 1*

2. Motor carriers not remitting required documentation by December 1 may be subject to a loss of installment privileges.

3. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows on each fleet renewal:

- (a) 100.00 if 1 - 7 calendar days late;*
- (b) 200.00 if 8 - 14 calendar days late;*
- (c) 300.00 if 15 - 21 calendar days late;*
- (d) 400.00 if 22 and over calendar days late; or*
- (e) 500.00 if received after the registration expiration date.*

4. For the purposes of this section there will be two additional registration periods for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) [Effective January 1,2009].

- (a) Period two (2) beginning April 1 ending March 31;*
 - (1) For the period of registration ending March 31 all fleet renewal documentation is due and must be postmarked on or before March 1*
 - (2) Motor carriers not remitting required fleet renewal documentation by March 1 may be subject to a loss of installment privileges.*

(b) Period three (3) beginning October 1 ending September 30;

(1) For the period of registration ending September 30 all fleet renewal documentation is due and must be postmarked on or before September 1

(2) Motor carriers not remitting required fleet renewal documentation by September 1 may be subject to a loss of installment privileges.

5. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows:

(a) 100.00 if 1 - 7 calendar days late;

(b) 200.00 if 8 - 14 calendar days late;

(c) 300.00 if 15 - 21 calendar days late;

(d) 400.00 if 22 and over calendar days late; or

(e) 500.00 if received after the registration expiration date.

6. Fleet Renewal documentation shall be deemed received by the Department if:

(a) Delivered by mail, on the date shown by the cancellation mark stamped by the United States Postal Service or the postal service of any other country upon an envelope containing the fleet renewal documentation properly addressed to the Department; or

(b) Delivered by a private postal service, on the business day preceding the date of actual delivery; and.

(c) All documents required by the Department are included.

(d) If no postmark is present, the Department will consider the date of delivery as the date received.

7. The Department shall not be held responsible if fleet renewal documentation processed online is received late for any reason including a system failure.

Sec. 2 NAC 482.482 is hereby amended to read as follows:

1. Effective January 1 2009, installment payments are due to the Department on or before January 1, April 1, July 1 and October 1 of each year.

2. For the purposes of this section, installment privileges shall be revoked for the remainder of the present registration year and the following registration year if:

(a) An Installment payment is received late; or

(b) A check is returned for insufficient funds.

Sec. 3 NAC Chapter 482 is hereby amended by adding thereto a new section to read as follows:

1. Pursuant to 482.930 the Department will impose an administrative fine for violations occurring due to lapse of registration, within the 3 years immediately preceding the most recent violation according to the following schedule:

(a) For the first offense, an administrative fine of not more than \$500.

(b) For the second offense, an administrative fine of not less than \$500 or more than \$1,000.

(c) For the third offense, an administrative fine of not less than \$1,000 or more than \$1,500.

(d) For a fourth or subsequent offense, an administrative fine of not less than \$1,500 or more than \$2,500.

2. For the purposes of paragraphs in subsection (1) (b), (c) and (d), a notice of violation and directive to cease from further violation issued by the Department shall be deemed to be a first offense.

Chapter 371 of NAC is hereby amended by adding thereto a new section to read as follows:

Section 1 NAC 371.070 is hereby amended to read as follows:

1. Effective upon passage of regulation the registration period for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) is as follows:

(a) Period one (1) beginning January 1 ending December 31;

(b) For the period of registration ending December 31 all fleet renewal documentation is due and must be postmarked on or before December 1

2. Motor carriers not remitting required documentation by December 1 may be subject to a loss of installment privileges.

3. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows on each fleet renewal:

(a) 100.00 if 1 - 7 calendar days late;

(b) 200.00 if 8 - 14 calendar days late;

(c) 300.00 if 15 - 21 calendar days late;

(d) 400.00 if 22 and over calendar days late; or

(e) 500.00 if received after the registration expiration date.

4. For the purposes of this section there will be two additional registration periods for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) [Effective January 1,2009].

(a) Period two (2) beginning April 1 ending March 31;

(1) For the period of registration ending March 31 all fleet renewal documentation is due and must be postmarked on or before March 1

(2) Motor carriers not remitting required fleet renewal documentation by March 1 may be subject to a loss of installment privileges.

(b) Period three (3) beginning October 1 ending September 30;

(1) For the period of registration ending September 30 all fleet renewal documentation is due and must be postmarked on or before September 1

(2) Motor carriers not remitting required fleet renewal documentation by September 1 may be subject to a loss of installment privileges.

5. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows:

- (a) 100.00 if 1 - 7 calendar days late;*
- (b) 200.00 if 8 - 14 calendar days late;*
- (c) 300.00 if 15 - 21 calendar days late;*
- (d) 400.00 if 22 and over calendar days late; or*
- (e) 500.00 if received after the registration expiration date.*

6. Fleet Renewal documentation shall be deemed received by the Department if:

(a) Delivered by mail, on the date shown by the cancellation mark stamped by the United States Postal Service or the postal service of any other country upon an envelope containing the fleet renewal documentation properly addressed to the Department; or

(b) Delivered by a private postal service, on the business day preceding the date of actual delivery; and.

(c) All documents required by the Department are included.

(d) If no postmark is present, the Department will consider the date of delivery as the date received.

7. The Department shall not be held responsible if fleet renewal documentation processed online is received late for any reason including a system failure.

Sec. 2 NAC Chapter 371 is hereby amended by adding thereto a new section to read as follows:

1. The Department will impose an administrative fine for violations occurring due to lapse of registration, within the 3 years immediately preceding the most recent violation according to the following schedule:

(a) For the first offense, an administrative fine of not more than \$500.

(b) For the second offense, an administrative fine of not less than \$500 or more than \$1,000.

(c) For the third offense, an administrative fine of not less than \$1,000 or more than \$1,500.

(d) For a fourth or subsequent offense, an administrative fine of not less than \$1,500 or more than \$2,500.

2. For the purposes of paragraphs in subsection (1) (b), (c) and (d), a notice of violation and directive to cease from further violation issued by the Department shall be deemed to be a first offense.

Chapter 706 of NAC is hereby amended by adding thereto a new section to read as follows:

Section 1 NAC 706.841 is hereby amended to read as follows:

1. Effective upon passage of regulation the registration period for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) is as follows:

(a) Period one (1) beginning January 1 ending December 31;

(b) For the period of registration ending December 31 all fleet renewal documentation is due and must be postmarked on or before December 1

2. Motor carriers not remitting required documentation by December 1 may be subject to a loss of installment privileges.

3. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows on each fleet renewal:

(a) 100.00 if 1 - 7 calendar days late;

(b) 200.00 if 8 - 14 calendar days late;

(c) 300.00 if 15 - 21 calendar days late;

(d) 400.00 if 22 and over calendar days late; or

(e) 500.00 if received after the registration expiration date.

4. For the purposes of this section there will be two additional registration periods for intrastate vehicles that must be registered through the Motor Carrier Division (or motor vehicles in excess of 26,000 pounds) [Effective January 1,2009].

(a) Period two (2) beginning April 1 ending March 31;

(1) For the period of registration ending March 31 all fleet renewal documentation is due and must be postmarked on or before March 1

(2) Motor carriers not remitting required fleet renewal documentation by March 1 may be subject to a loss of installment privileges.

(b) Period three (3) beginning October 1 ending September 30;

(1) For the period of registration ending September 30 all fleet renewal documentation is due and must be postmarked on or before September 1

(2) Motor carriers not remitting required fleet renewal documentation by September 1 may be subject to a loss of installment privileges.

5. Pursuant to NRS 482.565, the Department shall impose a non compliance fine of not less than \$100.00 or more than \$500.00 on intrastate vehicles registered through the Motor Carrier Division for failure to comply with the carriers corresponding fleet renewal registration documentation submission due date. Non compliance fines will be assessed as follows:

(a) 100.00 if 1 - 7 calendar days late;

(b) 200.00 if 8 - 14 calendar days late;

- (c) 300.00 if 15 - 21 calendar days late;*
- (d) 400.00 if 22 and over calendar days late; or*
- (e) 500.00 if received after the registration expiration date.*

6. Fleet Renewal documentation shall be deemed received by the Department if:

(a) Delivered by mail, on the date shown by the cancellation mark stamped by the United States Postal Service or the postal service of any other country upon an envelope containing the fleet renewal documentation properly addressed to the Department; or

(b) Delivered by a private postal service, on the business day preceding the date of actual delivery; and.

(c) All documents required by the Department are included.

(d) If no postmark is present, the Department will consider the date of delivery as the date received.

7. The Department shall not be held responsible if fleet renewal documentation processed online is received late for any reason including a system failure.

Sec. 2 NAC Chapter 706 is hereby amended by adding thereto a new section to read as follows:

1. The Department will impose an administrative fine for violations occurring due to lapse of registration, within the 3 years immediately preceding the most recent violation according to the following schedule:

(a) For the first offense, an administrative fine of not more than \$500.

(b) For the second offense, an administrative fine of not less than \$500 or more than \$1,000.

(c) For the third offense, an administrative fine of not less than \$1,000 or more than \$1,500.

(d) For a fourth or subsequent offense, an administrative fine of not less than \$1,500 or more than \$2,500.

2. For the purposes of paragraphs in subsection (1) (b), (c) and (d), a notice of violation and directive to cease from further violation issued by the Department shall be deemed to be a first offense.