

**LCB File No. R158-09**

**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 Chapters 482.160, 706.171, and 706.821

Regulations relating to the Department of Motor Vehicles - Motor Carrier Division

**Section 1.** Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth in sections 2 through 6 of this regulation.

**Sec. 2.** *Vehicles weighing in excess of 80,000 lbs. shall apply to the appropriate Department for a permit based on over dimensional size and type of load. If the vehicle's rating exceeds 80,000 pounds, the Department shall require a Longer Combination Vehicle (LCV) permit.*

**Sec. 3.** *For the purposes of this chapter of NAC, "Commercial vehicle" has the meaning ascribed to it in NRS 484.037.*

**Sec. 4.** *The Department shall consider a person registered pursuant to NRS 482.206.3 to be habitually delinquent for failure to remit payment of any fees and taxes due pursuant to NRS 482.482 twice within any 12 consecutive month period.*

**Sec. 5. 1.** *Pursuant to the provisions of this chapter, should the Department determine a person to be habitually delinquent in the payment of fees, the person shall provide a bond in an amount consisting of:*

*(a) Up to the total amount imposed for the registration of the fleet of vehicles over a 12 month period; or*

*(b) Not less than \$2,500*

**2.** *The bond required pursuant to subsection 1 shall be in force and in effect for a consecutive:*

*(a) 12 month period from the date of notification by the Department for the first designation of being habitually delinquent;*

*(b) 24 month period from the date of notification by the Department for the second designation of being habitually delinquent; or*

*(c) 36 month period from the date of notification by the Department for the third and subsequent designations of being habitually delinquent.*

*Sec. 6. 1. A Person convicted of operating a vehicle in excess of its declared gross weight, who has reregistered pursuant to provisions of NRS Chapter 482, and who is applying to the Department for a subsequent registration renewal may adjust the declared gross vehicle weight provided:*

*(a) The applicant has provided evidence satisfactory to the Department that they have changed their operation. Evidence may include but is not limited to:*

- (1) Proof of vehicle combination change;*
- (2) Proof of business closure;*
- (3) Evidence of change in contract; or*
- (4) Any other proof the Department may deem acceptable.*

*(b) The applicant has completed and submitted upon an appropriate form furnished by the Department an affidavit stating that:*

- (1) The operation for which the vehicle is used has sufficiently changed; and*
- (2) The gross vehicle weight has been changed.*

*2. Upon conviction the Department shall require the registrant to reregister the vehicle at a declared weight equal to the maximum declared gross weight rating or the maximum combined gross vehicle weight rating at the time of conviction.*

*3. If the registration renewal is based upon a false or fraudulent affidavit or application for registration the Department will, upon discovery of that fact, require him to reregister the vehicle pursuant to provisions of subsection 2.*

*4. A person convicted of a declared gross weight violation shall remit to the appropriate Department in addition to all other administrative fines owed;*

*(a) Any permit fees otherwise determined to have been due pursuant to NRS 706.531.*

*(b) All permit fees shall be assessed from the date of conviction until the end of the vehicle registration period.*

*5. A person convicted of two or more declared gross weight violations shall not be permitted any modification to the declared vehicle weight.*

**Sec. 7.** NAC 706 is hereby amended by adding thereto the provisions set forth as sections 8 through 12 of this regulation.

**Sec. 8.** *For the purposes of this chapter of NAC, “Commercial vehicle” has the meaning ascribed to it in NRS 484.037.*

**Sec. 9.** *For vehicles registered pursuant to NRS 706.801 to 706.861, inclusive, payment of fees and taxes shall be made by cashier’s check, money order, traveler’s check or cash.*

**Sec. 10.** *The Department shall consider a person registered pursuant to NRS 482.206.3 to be habitually delinquent for failure to remit payment of any fees and taxes due pursuant to NRS 482.482 twice within any 12 consecutive month period.*

**Sec. 11. 1.** *Pursuant to the provisions of this chapter, should the Department determine a person to be habitually delinquent in the payment of fees, the person shall provide a bond in an amount consisting of:*

*(a) Up to the total amount imposed for the registration of the fleet of vehicles over a 12 month period; or*

*(b) Not less than \$2,500.*

**2.** *The bond required pursuant to subsection 1 shall be in force and in effect for a consecutive:*

*(a) 12 month period from the date of notification by the Department for the first designation of being habitually delinquent;*

*(b) 24 month period from the date of notification by the Department for the second designation of being habitually delinquent; or*

*(c) 36 month period from the date of notification by the Department for the third and subsequent designations of being habitually delinquent.*

**Sec. 12. 1.** *Pursuant to provisions set forth in NRS 706.541 operators of commercial vehicles as defined in this chapter must purchase from the Department or an authorized vendor a temporary trip permit prior to operating within the State.*

**2.** *Trip permits must be purchased for:*

*(a) Vehicles weighing 10,001 lbs. or greater which are neither:*

*(1) Apportioned for travel in Nevada; or*

*(2) Dually registered within Nevada.*

*(b) Commercial vehicles as defined in 484.037.*

***3. The following are exempt from the requirements of 706.541:***

***(a) Household goods carriers as defined in NRS.706.067;***

***(b) Recreational vehicles as defined in NRS 482.201; and***

***(d) Vehicles meeting qualifications as outlined in NRS 372.327.***