

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

**LCB File No. R126-11**

October 11, 2011

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

AUTHORITY: NRS 485.130.

**Section 1.** Chapter 485 of NAC is hereby amended by adding thereto the provisions set forth as section 2 of this regulation.

*Sec. 2. 1. At least one registered owner will be responsible to maintain a Certificate of Financial Responsibility and/or be subject to driver's license suspensions for any potential future suspension for a vehicle registration pursuant to NRS 485.317. The registered owner who is responsible to maintain a Certificate of Financial Responsibility and/or a driver's license suspension may change the responsible person by notifying the department on a form provided by the department.*

*2. For the purpose of enforcing Senate Bill 323 from the 2011 Nevada Legislative Session, section 2, the Department will maintain the offenses for a minimum of five years after each reinstatement. If a subsequent vehicle registration suspension occurs pursuant to NRS 485.317, within 5 years of a reinstatement, the violation will be counted as the next offense.*

*3. When a Certificate of Financial Responsibility is required and filed at the time of vehicle reinstatement pursuant to Senate Bill 323 from the 2011 Nevada Legislative Session, section 2, the three year requirement to maintain the Certificate of Financial Responsibility is not transferrable.*

*4. A registered owner may request a hearing for a vehicle registration suspension caused by a lack or lapse of insurance by completing a form provided by the Department within 30 days from the date of the notice of suspension as required by section 3 of NRS 485.317. When requesting a hearing, current Nevada evidence of insurance must be submitted. A hearing will not be granted for consideration of additional time to obtain funds to pay the fee and fine, or a dispute with the insurance company.*

*5. The department will count all dates that do not have a confirmed liability policy when assessing the penalties to reinstate the motor vehicle registration. If there are dates not included in the original request for information, those days will also be counted before the motor vehicle registration is reinstated.*

**Sec. 3.** NAC 485.160 is hereby amended to read as follows:

NAC 485.160 1. Insures motor vehicles which are registered in this State; or

2. Issues motor vehicle liability policies that do not describe specific vehicles to:

(a) Companies who own or operate a fleet of vehicles and whose place of business is located in this State; or

(b) Residents of this State who own or operate a fleet of vehicles,

shall maintain each record required pursuant to NRS 485.314, *submit records* ~~[and submit to the Department each record required pursuant to NAC 485.165 to 485.180, inclusive,]~~ in accordance with a list of specifications published by the Department *when requested by the insurer or the Department*.

**Sec. 4.** NAC 485.165 is hereby deleted:

~~[NAC 485.165 An insurer that does not maintain a system to respond to an electronic query by the Department requesting the insurer to verify a motor vehicle liability policy shall:~~

~~1. Submit a record to the Department if the insurer issues, amends or terminates a motor vehicle liability policy that covers a motor vehicle which is required to be registered in this State not later than 7 days after the effective date of the issuance, amendment or termination of the policy. The record must:~~

~~(a) Include the information that the insurer is required to maintain pursuant to NAC 485.155; and~~

~~(b) Conform to the list of specifications published by the Department.~~

~~2. If the insurer has no issuances, amendments or terminations of motor vehicle liability policies to report, submit to the Department, each week, a record stating that the insurer has no activity to report. Such a record must be submitted in a format prescribed by the Department for this purpose.]~~

**Sec. 5.** NAC 485.170 is hereby amended to read as follows:

NAC 485.170 1. If ~~[pursuant to this section or NAC 485.160 or 485.165,]~~ the Department receives from an insurer a record that contains an error, the Department will return the record to the insurer for correction.

2. Upon receipt of a record that is returned for correction pursuant to subsection 1, the insurer shall correct the error and resubmit the record to the Department not later than 5 p.m. on the seventh business day after the insurer receives the returned record.