

**PROPOSED REGULATION OF THE  
BOARD OF WILDLIFE COMMISSIONERS**

**LCB File No. R161-12**

September 10, 2012

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

AUTHORITY: §§1-7, NRS 501.105, 501.181 and 502.040.

A REGULATION relating to wildlife; defining the term “manual document” for the purpose of certain requirements relating to license agents; requiring all license agents to submit batch reports to the Department of Wildlife; requiring the return of certain documents to the Department before a license agent may receive credit for voided, lost or stolen licensing documents; and providing other matters properly relating thereto.

**Section 1.** Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

*“Manual document” means a license, permit, tag, stamp or other licensing document that is designed to be issued manually and not generated by the automated licensing system administered by the Department.*

**Sec. 2.** NAC 502.160 is hereby amended to read as follows:

502.160 1. Except as otherwise provided in subsections 3 and 4, a license agent shall, as specified by the Department:

- (a) Forward to the license office; or
- (b) Deposit at least once every 7 days for electronic transfer to a bank account designated by the Department,

↪ any money collected by the license agent, excluding any service fees to which the license agent is entitled, for the sale and issuance of any licenses, permits, tags, stamps and other documents authorized by the Department.

2. If a manual license agent fails to comply with the provisions of subsection 1 regarding all the money due for the period covered by a batch report on or before the date that batch report is due, or an automated license agent fails to comply with the provisions of subsection 1 regarding all the money due for a calendar week on or before the Wednesday immediately following that calendar week, the Department:

(a) Shall send a notice of delinquency to the license agent; and

(b) If the license agent is:

(1) A manual license agent, shall not send any more ~~licenses, permits, tags, stamps or other licensing~~ *manual* documents to the license agent until all the money due has been received by the Department; or

(2) An automated license agent, shall terminate the ability of the license agent to issue licenses, permits, tags, stamps or other licensing documents until all the money due has been received by the Department.

3. If the license office, after receiving a batch report from a manual license agent, determines that a balance is due as reflected on the agent's statement of account, the balance must be paid by the agent within 10 calendar days after receipt of the statement of account by the agent.

4. If a license agent's statement of account reflects a credit owing to the agent, the agent may deduct the credit from the amount owed for the next reporting period.

5. All money collected by a license agent from the sale and issuance of any licenses, permits, tags, stamps and other documents authorized by the Department, except the agent's service fees, is the property of the State of Nevada and must be kept readily available for forwarding or electronic transfer to the Department. All equipment and documents provided to a license agent by the Department and any records regarding the sale or issuance of any licenses, permits, tags, stamps and other documents authorized by the Department are the property of the State of Nevada and must be made available for inspection and audit upon request by the Department.

**Sec. 3.** NAC 502.170 is hereby amended to read as follows:

502.170 1. The Department shall assign to each ~~manual~~ license agent dates for the submission of batch reports. The agent shall submit at least two batch reports each month which must be received by the Department by the assigned dates. If the agent has had no sales during the period covered by a batch report, he or she shall enter "no sale" on the report and submit it to the Department. The batch report must be received by the Department by the assigned date.

2. If the Department does not receive a batch report on or before the date assigned pursuant to subsection 1, the Department:

- (a) Shall not send any more ~~licenses, permits, tags, stamps or other licensing~~ *manual* documents to the license agent until his or her batch report is received; and
- (b) Shall send a notice of delinquency to the license agent.

**Sec. 4.** NAC 502.180 is hereby amended to read as follows:

502.180 1. Credit may be given to ~~the~~  
~~(a) A manual~~ *any* license agent for ~~licenses, permits and tags~~ :

(a) *Manual documents* that have been voided if the agent returns to the Department the original and remittance copy of the ~~[License, permit or tag]~~ *manual document* with the word “void” written across it ~~[ ]~~; *and*

(b) ~~[An automated license agent for licensing]~~ *Licensing* documents that have been printed *from the automated licensing system administered by the Department* and voided if the agent submits *to the Department* the original voided document ~~[to the Department.]~~ *displaying the voided privilege number which is generated by the automated licensing system.*

2. Credit may be given to any license agent for stamps ~~[that]~~ *which are designed to be issued manually and which* are returned to the Department with the word “void” written across the face.

3. If a ~~[manual]~~ license agent declares that a *manual* document is void but has not submitted both the original and remittance copy of the document, the license agent will be sent a notification of incomplete documents. If the license agent does not substantiate that the document is void within 60 days after receiving such notification, the agent will be assessed the value of the document as determined in the manner provided in paragraphs (a), (b) and (c) of subsection 3 of NAC 502.185.

4. If the Department does not receive an original voided document *pursuant to paragraph (b) of subsection 1* from ~~[an automated]~~ a license agent ~~[within 10 days after the date of the transaction for which the document was printed.]~~ *with the next batch report required from the license agent pursuant to NAC 502.170*, the agent will be assessed the recorded value of the document.

**Sec. 5.** NAC 502.182 is hereby amended to read as follows:

502.182 1. The Department will recall *manual* documents from license agents at the close of a season or license year.

2. The Department will notify each license agent in writing that specific *manual* documents are being recalled and that they must be received by the Department on or before a specified date. The specified receipt date must not be more than 60 days after the date of notification. To receive credit, unsold *manual* documents must be received by the Department on or before the specified receipt date.

3. The license agent will be assessed a fee for each *manual* document recalled but not received by the Department within 30 days after the date specified pursuant to subsection 2. The fee amount will be determined pursuant to NAC 502.185.

**Sec. 6.** NAC 502.185 is hereby amended to read as follows:

502.185 1. If a license agent's batch report has been lost in the mail, the license agent may receive credit if the agent notifies the Department of the loss and provides photocopies of the report to the Department.

2. If *manual* documents have been stolen, the license agent may receive credit if the agent notifies the Department and submits a copy of a police report to the Department listing the *manual* document numbers of the stolen *manual* documents.

3. If the provisions of subsections 1, 2 and 4 of NAC 502.180 do not apply, or if a *manual* document has been lost or destroyed by an agent or stolen and no copy is available, the assessed value of the *manual* document is:

(a) For a license or permit from a book, an amount equal to the highest priced license or permit in that book;

(b) For a tag from a book, an amount equal to the highest priced tag in that book; and

(c) For a stamp, the face value.

**Sec. 7.** NAC 502.192 is hereby amended to read as follows:

502.192 1. A license agent may voluntarily relinquish his or her authority or the Department may cancel his or her authority pursuant to NAC 502.195. All sold, unsold and void *manual* documents are subject to immediate recall upon a license agent's notification to the Department that the license agent has voluntarily relinquished his or her authority or upon the Department's notification to the agent of its cancellation of his or her authority.

2. Credit will be given for unsold *manual* documents returned to the Department within 30 days after the notice of voluntary relinquishment of authority or the Department's notice of cancellation of authority.

3. Thirty days after the notice of voluntary relinquishment of authority or the Department's notice of cancellation of authority the license agent will be assessed a fee for each recalled *manual* document not returned in an amount determined pursuant to NAC 502.185.