

**ADOPTED REGULATION OF THE  
DEPARTMENT OF MOTOR VEHICLES**

**LCB File No. R026-13**

Effective October 4, 2013

The provisions of this regulation relating to fees for certificates of title have been removed from this regulation for separate consideration; see LCB File No. R044-13.

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

AUTHORITY: §1, NRS 482.268, as amended by section 1 of Assembly Bill No. 473, chapter 436, Statutes of Nevada 2013, at page 2528;

A REGULATION relating to motor vehicles; establishing fees to defray the cost of producing certain license plates; and providing other matters properly relating thereto.

**Section 1.** Chapter 482 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, each person who applies for a license plate for a motor vehicle, trailer or semitrailer must pay a fee of \$3 to the Department pursuant to paragraph (b) of subsection 1 of NRS 482.268, as amended by section 1 of Assembly Bill No. 473, chapter 436, Statutes of Nevada 2013, at page 2528, to defray the cost of producing the license plate.*

*2. A person is not required to pay the fee pursuant to subsection 1 if the cost of producing the license plate is otherwise charged pursuant to chapter 482 of NRS or any regulations adopted pursuant thereto.*

## NOTICE OF ADOPTION OF REGULATION

The Nevada Department of Motor Vehicles adopted regulations assigned LCB File No. R026-13, which pertain to chapter number 482 of the Nevada Administrative Code, on September 10, 2013. A copy of the regulations as adopted is attached hereto.

### **INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 LCB FILE NO. R026-13 September 19, 2013**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 482:

- 1. A description of the need for the regulation, how public comment was solicited, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

**The Agency's Need for the Adopted Regulation** (compliance with Assembly Bill 252 of the 2103 Legislative Session).

Assembly Bill 473 was passed in the 2013 Legislative Session authorizing the Department of Motor Vehicles to charge a fee for license plates to defray the cost of producing the license plates. The bill also authorizes the Department to determine by regulation, the fee amount. Regulation R026-13 is needed to establish a \$3 per plate fee that the Department has determined will offset the cost to produce license plates.

#### **Solicitation of Public Comment**

Copies of the proposed regulation, notices of workshop and notices of intent to act upon the regulations were sent out for posting by electronic mail to all DMV offices and county libraries where there is not a DMV office. They were also sent out by electronic mail to all insurance industry contacts that the Department keeps on record. They were also made available on the Department of Motor Vehicles website at [www.dmvnv.com/publicmeetings.htm](http://www.dmvnv.com/publicmeetings.htm).

A Public Workshop was noticed on July 9, 2013, and held on July 25, 2013 at the Nevada State Legislative Building in Carson City and video-conferenced to the Grant Sawyer Building in Las Vegas and Great Basin College in Elko. No members of the general public attended the workshop and there was no public comment. Following the workshop, the section pertaining to expedited title fees was removed from this regulation. The proposed regulation to establish a fee for the processing of an expedited title was subsequently submitted to LCB as a separate regulation.

A Notice of Intent to Act upon the Regulations was noticed on August 2, 2013, and a public hearing was held on September 5, 2013. The hearing was held at the Nevada State Legislative Building in Carson City and video-conferenced to Las Vegas and Elko.

However, due to technical difficulties, video-conferencing to Elko was not available. One member from the general public attended in Carson City. There was no public testimony.

A recording of the Public Workshop and Notice of Intent to Act upon the Regulations is on file at the Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711. Copies of these minutes may be obtained by written request to Attention Pete Olson, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

**2. The number of persons who:**

**(a) Attended the workshop; 5**

**In attendance in Carson City – 3**

Jude Hurin, Department of Motor Vehicles (Workshop’s Hearing Officer)

Sean McDonald, Department of Motor Vehicles

Ann Yukish-Lee, Department of Motor Vehicles

**In attendance in Las Vegas – 1**

Kevin Malone, Department of Motor Vehicles

**In attendance in Elko – 1**

Laura Brown, Department of Motor Vehicles

**(b) Testified at the workshop; 0**

**(c) Submitted to the agency written statements; 0**

**(d) Attended the hearing; 6**

**In attendance in Carson City – 5**

Jude Hurin, Department of Motor Vehicles (Hearings Officer)

Sean McDonald, Department of Motor Vehicles

Angela Smith, Department of Motor Vehicles

Cindy Arnold, Department of Motor Vehicles

Lorne Malkievich, R&R Partners

**In attendance in Las Vegas – 1**

Kevin Malone, Department of Motor Vehicles

**In attendance in Elko - 0**

**(e) Testified at the hearing - 0**

**(f) Submitted to the agency written statements – 0**

3. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited using electronic mail and postings as described in Question 1 for both the Workshop and the Hearing. Copies of the minutes may be obtained by written request to Attention Pete Olson, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

4. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The proposed draft regulations were submitted to LCB for review on July 1, 2013. The original draft regulations included an amendment to 482.907 of the Nevada Administrative Code (NAC) establishing a fee for the expedited processing of a vehicle title. Subsequent to the workshop, the Department decided to remove the provisions pertaining to expedited title fees and submit them as a separate regulation.

5. **The estimated economic effect of the adopted regulation on the businesses that it is to regulate and on the public. These must be stated separately, and each case must include:**

**Business:**

- (a) **Both adverse and beneficial effects; and**

The \$3 per license plate production fee proposed in this regulation will have an equal impact on both business and the public as license plates are purchased by both businesses and the general public.

- (b) **Both immediate and long-term effects.**

See (a) above.

**Public:**

- (a) **Both adverse and beneficial effects; and**

The \$3 per license plate production fee proposed in this regulation will have an equal impact on both business and the public as license plates are purchased by both businesses and the general public.

- (c) **Both immediate and long-term effects.**

See (a) above.

6. **The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the Department of Motor Vehicles for the enforcement of the adopted regulations.

7. **A description of any regulations of other state or government agencies that the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or federal government agency regulations that are duplicated or overlapped by the adopted regulations.

8. **If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There are no federal regulations that regulate the same activity as addressed in the adopted regulations.

9. **If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

The proposed regulation establishes a new fee of \$3 per license plate to defray the cost of producing the license plates.

Total Annual Estimated Revenue

Fiscal Year 2014	\$943,253
Fiscal Year 2015	\$969,288

Not all license plates produced will carry the proposed \$3 fee. Many license plates produced by the Department currently have a fee that is used to help fund license plate production. The proposed \$3 per plate fee will only affect plates that currently do not have a fee (other than the 50 cents per plate Prison Industry Fee), or plates that currently have a fee that is not used to help fund plate production.

Plates that will carry the proposed \$3 fee

Standard Sunset	Ex Prisoner of War
Standard Sunset Personalized	Congressional Medal of Honor
Standard Sunset Motorcycle	Purple Heart
Standard Sunset Large Trailer	Purple Heart Motorcycle
Disabled Sunset	Autonomous Driverless
Disabled Sunset Motorcycle	Autonomous Requires Driver
Disabled Veteran	
Disabled Veteran Motorcycle	
Disabled Female Veteran	
Disabled Female Veteran Motorcycle	

In addition to the license plates listed above, all of the business license plates and motor carrier license plates manufactured by the Department will carry the \$3 per plate production fee.

**10. Small Business Impact Statement**

In compliance with Assembly Bill 408 of the 2013 Legislative Session the Department of Motor Vehicles has determined that the adopted regulation does not impose a direct and significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small businesses.

The \$3 per license plate fee will only apply to new license plates produced and issued. The fee would only apply to businesses that register a vehicle for the first time, or if new plates are issued at the request of the business. In addition, the fee will not be charged when a business replaces a vehicle and the license plates from the old vehicle are transferred to the new vehicle.