

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS  
AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066  
LCB FILE NO. R085-17  
February 23, 2018

1. The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapters 366 and 482:

**(a) A clear and concise explanation of the need for the adopted regulation**

Senate Bill 31 was passed in the 2017 Legislative Session authorizing the Motor Carrier Division of the Department of Motor Vehicles to make several revisions to its practices. The bill authorizes the Department to adopt regulations revising the requirements for registration of certain commercial motor vehicles, adoption of penalties, and revision of registration documentation and administrative duties associated with this. Adoption of the regulations associated with the passage of this bill will assist the Department in becoming core certified with federal safety and registration systems and allow continue access to federal grant funding.

**(b) A description of how public comment was solicited, a summary of the public response, and an explanation of how other interested persons may obtain a copy of the summary.**

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 no DMV office; notices were also sent out to affected industry associations. 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 20, 2017, and held on August 4, 2017, at the Nevada State Department of Transportation (NDOT) main headquarters in Carson City and video-conferenced to NDOT offices in Las Vegas and Reno. Only one (1) member of the general public attended the workshop, and did not provide any testimony.

A Notice of Intent to Act upon the Regulations was noticed on January 19, 2018, and a public hearing was held on February 22, 2018. The hearing was held at the NDOT main headquarters in Carson City and video-conferenced to NDOT offices in Las Vegas and Elko. No members of the general public attended the hearing and no testimony or written remarks were delivered to the Department.

A recording of the Public Workshop is on file at the Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711. Information on the workshop and hearing proceedings may be obtained by written request to: Department of Motor

Vehicles, Management Services and Programs Division, 555 Wright Way,  
Carson City, Nevada 89711, Attention: Martin Hefner.

**(c) The number of persons who:**

**(1) Attended each hearing:**

**In attendance in Carson City for the August 4, 2017 workshop – 6**

Martin Hefner, Department of Motor Vehicles (Hearings Officer)  
Karen Stoll, Department of Motor Vehicles  
Dawn Lietz, Department of Motor Vehicles  
Debbie Martinez, Department of Motor Vehicles  
Zach Hoefling, Department of Motor Vehicles  
Lea Cartwright, Associated General Contractors

**In attendance in Reno for the August 4, 2017 workshop – 1**

Robert Fiegel, Department of Motor Vehicles

**In attendance in Las Vegas August 4, 2017 workshop - 2**

Brian Reeder, Nevada Contractors Association  
Kevin Malone, Department of Motor Vehicles

**In attendance in Carson City for the February 22, 2018 hearing – 5**

Martin Hefner, Department of Motor Vehicles (Hearings Officer)  
Dawn Lietz, Department of Motor Vehicles  
Debbie Martinez, Department of Motor Vehicles  
Lt. Roy Baughman, Nevada Highway Patrol  
John Amestoy, Nevada Highway Patrol

**In attendance in Elko for the February 22, 2018 hearing – 0**

**In attendance in Las Vegas February 22, 2018 hearing - 0**

**(2) Testified at each hearing - 0**

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

**(d) For each person identified in subparagraphs (2) and (3) of paragraph (c)**

N/A

**(e) 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 (b) for both the Workshop and the Hearing. No suggestions for change were offered at either workshop or hearing, and no requested changes were submitted to the Department during the process. Notifications were also sent out by electronic mail to 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).

**(f) 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 regulation was adopted without change. The Department addressed concerns of businesses and law enforcement through discussions and reviews of internal department-drafted text, but no suggestions for change were offered at either the public workshop or hearing and no requested changes were submitted to the Department during this process.

**(g) 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:**

**(1) Both adverse and beneficial effects; and**

The \$25 fee for International Fuel Tax Agreement (IFTA) license issuance, renewal or reinstatement will impact primarily commercial motor carrier businesses since these are required to register their vehicles through the Motor Carrier Division.

The imposition of this fee replaces the previous \$6 per decal issuance fee that was levied for all licensees per vehicle; this new format will institute one flat fee for all fleets and simplify issuance and administration and enable the Department to continue to accommodate the needs of fleets and operators. This service will benefit these businesses in the immediate and long-term.

The \$115 fee for special fuel transporter, dealer, manufacturer, exporter or supplier licenses will only impact fuel suppliers. The fee for the license covers the cost of reviewing their annual bond requirements and validating the company's good standing with other jurisdictions. By conducting these actions, the Department will be better able to evaluate the fitness of the suppliers we regulate and it will also strengthen cooperation with other jurisdictions that we work with to readily identify reporting and other issues related to fuel tax collections by catching improper activities early and helping our staff to determine necessary audit and enforcement actions.

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

Immediate: the fees will not be charged until the renewal and issuance of licenses for the 2019 year, which will start in October of 2018.

Long-term: fees will be charged beginning in the last quarter of calendar year 2018.

**Public:**

**(1) Both adverse and beneficial effects; and**

No adverse impact to the general public is estimated; the Department anticipates that the public will benefit through ensuring that fleets and vehicles on the road are in compliance and will protect the safety of the driving public.

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

Anticipated immediate and long-term effect to the general public will be in the area of enhancing the safety and livability of the community by having qualified commercial vehicles using the roadways.

**(h) 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.

**(i) 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.

**(j) 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.

**(k) 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.**

Special fuel licensees will be subject to a \$115 fee upon issuance, renewal or reinstatement of their licenses:

Licensee Type	Count	Anticipated Fee Revenue (count x \$115)
Supplier	231	\$26,565
Dealer	16	\$1,840
Exporter	9	\$1,035
Tribal	10	\$1,150
Manufacturer	1	\$115
Transporters	78	\$8,970
<b>Projected Total</b>		<b>\$39,675</b>

As mentioned above, the fee for the license covers the cost of reviewing their annual bond requirements and validating the company's good standing with other jurisdictions.

IFTA licensees will now be subject to a flat rate \$25 registration for issuance, renewal or reinstatement of a license:

Licensee Type	Count (active as of CY18)	Anticipated Fee Revenue (count x \$25)
IFTA	1,741	\$43,525
<b>Projected Total</b>		<b>\$43,525</b>

The projected fees from these licenses will be utilized by the Division to offset the cost of regulatory and oversight activities.