

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS
AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066

LCB FILE NO. R023-18

June 1, 2018

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

1. A clear and concise explanation of the need for the adopted regulation

This regulation provides for the implementation of Assembly Bill (AB) 452 that was passed during the 2017 Legislative Session. The bills allow the department to:

- Set the bond amount for a vehicle title to one and one-half (1½) times the manufacturer's suggested retail price.
- Require the applicant for a bonded vehicle title to submit photographs of the vehicle.
- Revise the fee for certain license plates.

2. 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. They were also made available on the Department of Motor Vehicles website at <http://www.dmvnv.com/publicmeetings.htm>.

A Public Workshop was noticed on January 29, 2018, and held on February 16, 2018, at the Nevada State Legislative Building in Carson City and video-conferenced to the Grant Sawyer Building in Las Vegas and Elko. At the time of the workshop, the regulation was assigned number R023-18. There were three members of the general public who attended the workshop. Only one of which spoke publicly regarding the regulations. The response provided was directed at thanking the Department for its efforts to implement the issuance of bonded titles.

Following the workshop, it was determined there would be no changes required to LCB File Number R023-18.

A Notice of Intent to Act upon the Regulations was noticed on April 30, 2018, and a public hearing was held on May 30, 2018. The hearing was held at the Nevada State Legislative Building in Carson City and video-conferenced to Las Vegas and Elko. There were four members of the general public that attended the hearing, none of which testified.

A recording of the Public Workshop, Notice of Intent to Act upon the Regulations and Summary of Public Response 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: Ted Imfeld, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

3. The number of persons who:

a. Attended the hearing: 13

In attendance in Carson City – 11

Martin Hefner, Department of Motor Vehicles (Hearings officer)

Zachary Hoefling, Department of Motor Vehicles

Ted Imfeld, Department of Motor Vehicles

Marty Elzy, Department of Motor Vehicles

Sean McDonald, Department of Motor Vehicles

Ann Liao, Department of Motor Vehicles

Yvonne Young, Department of Motor Vehicles

Lea Cartwright, PCIA

Alex Samuelson, Griffin Company

Andy MacKay, NV Franchised Auto Dealers Association

Erik Jimenez, NV Franchised Auto Dealers Association

In attendance in Las Vegas – 1

Kevin Malone, Department of Motor Vehicles

In attendance in Elko – 1

Holly Patterson, Department of Motor Vehicles

b. Testified at the hearing – 0

c. Submitted to the agency written statements – 1

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address,

and name of entity or organization represented, for each person identified above in #3, as provided to the agency.

Andy MacKay: NV Franchised Dealer Association; 775-331-6884; PO Box 7320 Reno, NV 89510; mailto:amackey@nfada.net

Andy MacKay testified in person thanking the Department for its efforts to implement the issuance of bonded titles.

Alex Samuelson, Griffin Company, mailto:alexis@g3nv.com

Alex Samuelson submitted written comments regarding proposed changes regarding how the value of the vehicle is derived.

- 5. 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. They were also made available on the Department of Motor Vehicles website at www.dmvnv.com/publicmeetings.htm

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

Testimony received was neutral regarding the regulations. Comments received suggested changing the method of the vehicle value. The Department researched the suggested option, and determined that the change would create an arbitrary value for the vehicles determined by independent entities. The Department decided that the manufacturer's suggested retail price sets the value consistent for the majority of vehicles.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

Business

a. Both adverse and beneficial effects.

Sections 1 and 3 – The proposed regulation will not have an impact on businesses,

Section 2 - As proposed, fees are capped at a not-to-exceed amount of \$3.00 per standard issue license plate. Currently, plate fees are fixed at \$3.50 and don't permit adjustment. This regulatory language allows the Department to make adjustments to fees imposed respective of operational demands, production volumes, commodities trading and encumbered manufacturing expenditures. Both the business and public sides benefit from the proposed regulation. There are no adverse impacts anticipated, **and**

b. Both immediate and long-term effects.

Sections 1 and 3 – The proposed regulation will not have an immediate or long-term impact on businesses.

Section 2 – Acquiring the flexibility to adjust standard issue license plate fees, up to \$3.00 per plate, will ensure the Factory remains revenue neutral now and in future biennia.

Public

a. Both adverse and beneficial effects.

Sections 1 and 3 – The proposed regulation will not have an impact for the public,

Section 2 – The Department's regulatory language provides for an immediate decrease in fees assessed, to the public, for the purchase of standard issue license plates (currently set at \$3.50 per plate). As proposed, fees are capped at a not-to-exceed amount of \$3.00 per plate. The public will realize an immediate savings when purchasing license plates from the Department. There are no adverse impacts anticipated, **and**

b. Both immediate and long-term effects.

Sections 1 and 3 – The proposed regulation will not have a long term impact for the public.

Section 2 – A capping of (up to) \$3.00 per plate ensures assessed fees remain well-below \$3.50 per plate, as presently imposed on all standard issue license plate sales.

8. The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the Department in the enforcement of these proposed regulations.

- 9. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

The proposed regulations do not overlap that of any other state, local, or federal government agency.

- 10. If the regulation is required pursuant to federal law, a citation and description of the federal law.**

These regulations are not required pursuant to federal law.

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

The proposed regulation does not include provisions which are more stringent than a federal regulation.

- 12. Whether the proposed regulation establishes a new fee or increases an existing fee.**

The proposed regulation does not establish or increase a new fee.