

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

**LCB FILE NO. R142-18I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 06/13/2018**

**Department of Motor Vehicles**  
**Draft Regulations: Crash Report; Security Deposit**  
6/5/18

**Section 1.** Chapter 484E of NAC is hereby created by adding thereto the provisions set forth as section 2.

**Sec. 2. Crash Report** (NRS 484E.070, 484E.110). Authority: NRS 481.051

1. A person may obtain a Report of Traffic Crash form on the Department's website.
  2. A copy of the following documents must accompany the Report of Traffic Crash when it is submitted to the Department:
    - a. Proof of insurance that was in effect on the date of the crash for the vehicle involved in the crash;
    - b. An estimate of repairs or a statement of total loss if the vehicle or property damage (of any one person) that exceeds the minimum amount set forth in NRS 484E.070; and/or
    - c. A doctor's statement of injury for each person injured in the crash (if the crash resulted in bodily injury or death).
  3. The Department will not accept a Report of Traffic Crash that is not received by the Department within 10 days after the crash.
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**Section 1.** Chapter 485 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 through 4. (NRS 485.190 through 485.300) Authority: NRS 485.130

**Sec. 2. Security Deposit Following Crash**

1. The form of payment accepted by the Department for a security deposit must be secured funds such as either cash, cashier's check or money order.
2. A person may pay a security deposit to any full service DMV.
3. Once a security deposit is posted, the Department will notify the not-at-fault party that a security deposit has been posted with the requirements to obtain the funds.

**Sec. 3. Eligibility for Reinstatement; Reinstatement Requirements for Security Deposit Suspension**

1. A resident or a nonresident of this state whose driver's license and/or registration has been suspended is eligible to reinstate if:
  - a. Proof of insurance is submitted to the Department covering the date of the crash.; or
  - b. If the effective date of the insurance is the same as the date of the crash, a letter from the insurance company is required stating the effective date and time of the policy.
  - c. Evidence of a release of liability is submitted, satisfactory to the Department; or
  - d. The required security deposit is posted with the Department; or
  - e. A written payment agreement notarized by both parties is submitted to the Department.  
The written payment agreement must include all of the following:
    - (1) The date of the crash;

- (2) The amount of damages and/or injuries;*
- (3) The amount of monthly payments agreed upon by both parties;*
- (4) A statement that the crash has not been turned in as a claim to an insurance company;  
and*
- (5) Notarized signatures of both parties.*
- 2. The written payment agreement must remain in force until it is paid in full, or after two years from the date of the crash, whichever occurs first.*
- 3. Requirements to reinstate include:*
  - a. Proof of financial responsibility (SR-22). Pursuant to subsection 3 of NRS 485.230 a person must maintain proof of financial responsibility for 3 years after the date of reinstatement. The Department will suspend the person's driver's license and registrations if proof of financial responsibility is not continuously maintained for 3 years after the date of reinstatement.*
  - b. Payment of reinstatement fees; and*
  - c. A completed 2-year affidavit form, if no judgement or legal action was taken.*

**Sec 4. Refund of Security Deposit**

- 1. A security deposit, or balance thereof, may be returned if:*
  - a. the Department receives satisfactory evidence of release from liability; or*
  - b. If there is no action taken by the not-at-fault party after 2 years from the date of the crash, or 1 year after the date of deposit of any security, whichever occurs first.*
- 2. If no action is taken by the not-at-fault party pursuant to subsection 1b. The Department will notify the at-fault party that they are eligible for a refund of the security deposit.*
- 3. A refund must be requested by the person who posted the security deposit, or by his or her personal representative.*