

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE NO. R023-20**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapters 365, 366, 482 and 706.

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

The main purpose of SB71 was to bring industry participants into compliance under federal provisions connected with the PRISM Program. This is an integral part of the Department's system transformation effort. The overall impact to the commercial vehicle industry by these regulations is projected to be neutral/positive. Through this update to the Nevada Administrative Code, the regulatory burden on the commercial vehicle industry will be streamlined and lessened to a certain degree as requirements for compliance will be made clearer and certain tasks will be eliminated to aid business operations.

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.

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. Other persons wishing to obtain a summary of the regulations adoption proceedings may contact:

Department of Motor Vehicles
Attn: Research and Project Management Division
555 Wright Way
Carson City, NV 89711
Southern NV- (702) 486-4368
Northern NV- (775) 684-4368
Email: mhefner@dmv.nv.gov

**3. The number of persons who:
(a) Attended each hearing (remote meetings held via Webex and GoToMeeting, no physical location was held for these):**

1. Workshop - __0__

2. Hearing __0__

(b) Testified at the hearing- 0

(c) Submitted to the agency written statements- 0

4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity of organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.**

N/A

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.**

During the 2019 Legislative Session, the Department submitted “no impact” fiscal notes as the bills were reviewed. Department staff testified during its presentations that there was no adverse fiscal impact anticipated from the passage of this legislation; these bills were to assist in bringing Nevada into compliance with federal transportation laws. The Department has determined that the adopted regulation(s) will not impose an undue or significant burden on small businesses, nor will it restrict the formation, operation or expansion of a small business. The Department, over the past two and a half years during the bill passage phase and continuing through the regulations development phase (which was interrupted by the COVID-19 office shutdown), has consistently communicated with industry representatives, associations and businesses regarding the elements to be included in the proposed regulations and they have been in accordance with the purposes and structure of the language. Other persons wishing to obtain a summary of the regulations adoption proceedings may contact:

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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.**

N/A

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

- (a) **Business:**

- i. **Both adverse and beneficial effects; and**
- ii. **Both immediate and long-term effects.**

The Department's rulemaking is intended to be broad and cover the spectrum of commercial vehicle activity, which are primarily medium and large fleets, and the overall intent of the regulations is positive, however there will be increased documentation requirements for fleet vehicles in the areas of registration and tracking, as well as new timeframes for submission, and these new features could be initially confusing to customers operating within previously established practices. In addition, the proposed changes to the vehicle registration cycles will necessitate adjustments in procedures for fleets with only one vehicle. Further, the proposed fee and fine changes are intended to provide additional guidance to the regulated fleet population that may incur these penalties or encounter filing issues, but will be of little benefit to those fleet entities that submit their documentation/payments in a timely manner.

Immediate Effects: Aligns the state in compliance with federal regulatory efforts.

Long-term Effects: Clarify fuel supplier requirements for conducting business with the Department, streamline operations for commercial fleets through self-issuance, clarifies levy of penalties for administrative fines and conditions for payment, revises payment process and registration periods for issuance/renewals of registrations, and allows for electronic submission of certain documentation to the Department. Integrates with the Department's transformation effort.

- (b) **Public:**

- i. **Both adverse and beneficial effects; and**
- ii. **Both immediate and long-term effects.**

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.

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.

- 8. The estimated cost to the agency for enforcement of the adopted regulation.**
The Department incurs a standard amount of costs (\$342.00) for the general development of regulations. There is no anticipated additional cost to the Department for the enforcement of the adopted regulations.

- 9. 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.

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

N/A

- 11. 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.**

No additional fees or revenue are expected to be received due to adoption of these regulations.

NRS 233B.066 Informational statement required concerning adopted permanent or temporary regulation; contents of statement.

1. Except as otherwise provided in subsection 2, each adopted regulation which is submitted to the Legislative Counsel pursuant to NRS 233B.067 or filed with the Secretary of State pursuant to subsection 2 or 3 of NRS 233B.070 must be accompanied by a statement concerning the regulation which contains the following information:

- (a) A clear and concise explanation of the need for the adopted regulation.
- (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.
- (c) The number of persons who:
 - (1) Attended each hearing;
 - (2) Testified at each hearing; and
 - (3) Submitted to the agency written statements.
- (d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:
 - (1) Name;
 - (2) Telephone number;
 - (3) Business address;
 - (4) Business telephone number;
 - (5) Electronic mail address; and
 - (6) Name of entity or organization represented.
- (e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.
- (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.
- (g) 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:
 - (1) Both adverse and beneficial effects; and
 - (2) Both immediate and long-term effects.
- (h) The estimated cost to the agency for enforcement of the proposed regulation.
- (i) A description of any regulations of other state or government agencies which 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.
- (j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.
- (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.

2. **The requirements of paragraphs (b) to (f), inclusive, of subsection 1 do not apply to emergency regulations.**

(Added to NRS by 1981, 186; A 1987, 1581; 1989, 572; 1995, 131, 2580; 2003, 2006; 2011, 379; 2013, 78)