

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R052-21

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

In accordance with the requirements of NRS 482C (Senate Bill 389, chapter 313, Statutes of Nevada 2021), the adopted regulation: 1) requires a person who operates a peer-to-peer car sharing program to provide proof to the Department of Taxation that the person has obtained or attempted to obtain an electronic certification related to the payment of sales and use taxes due on the purchase of a shared vehicle; 2) specifies the required contents of the certification; 3) requires a shared vehicle owner who has paid sales and use taxes to retain documentation evidencing the payment; 4) provides for the liability of a shared vehicle owner who provides incorrect or false information to a car sharing program regarding the payment of sales and use taxes; 5) requires a person who operates a car sharing program to submit quarterly reports to the Department; 6) establishes requirements for the retention of certain records relating to the operation of a car sharing program; and 7) provides other matters properly relating thereto.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

The Department of Taxation, as staff to the Nevada Tax Commission, solicited comment from the public by issuing a questionnaire to interested parties regarding any impact on small businesses and sending notice of workshops and hearings by electronic or regular mail as follows:

<u>Date of Notice</u>	<u>Workshop/ Hearing</u>	<u>Date of Workshop/Hearing</u>	<u>Number Notified</u>
04/12/22	Workshop	05/17/22	208
05/25/22	Adoption Hearing	06/27/22	208

The mailing list included the interested parties list maintained by the Department. Notices were also posted at the Nevada State Library; Legislative Counsel Bureau; various Department of Taxation locations throughout the State; and at the Main Public Libraries in counties where an office of the Department of Taxation is not located. Comments were also solicited by direct email.

See response to #5 for a summary of the public responses to the Regulation.

A copy of the recorded comments, the record of proceedings, and/or the Small Business Impact Statement may be obtained by calling the Nevada Department of Taxation at (775) 684-2059 or by writing to the Department of Taxation, 1550 College Pkwy. Ste 115, Carson City, Nevada 89706, or by e-mailing the Department at sglazner@tax.state.nv.us.

- 3. The number of persons who:**
(a) Attended each hearing:
(b) Testified at each hearing:
(c) Submitted written comments:

Workshop date: May 17, 2022

(a) Number in attendance: 9

(b) Number testifying: 0

(c) Written statements submitted: 0

Adoption Hearing date: June 27, 2022

(a) Number in attendance: 79

(b) Number testifying: 1

(c) Written statements submitted: 1

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

Testified at Adoption Hearing:

Name: **Michael Alonso**

Telephone number: **775-683-9407**

Business address: **6160 Plumas, Ste. 200 Reno, NV 89519**

Electronic mail address: michael@alonsolawltd.com

Name of entity or organization represented: **Alonso Law Limited on behalf of “Turo”**

- 5. 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.**

See response to #2 for description of how comments were solicited from affected businesses and an explanation of how interested persons may obtain a copy of the summary.

Summary of public responses: Not Applicable

Summary of workshop discussion: Not Applicable

Summary of Public Comment at Adoption Hearing:

1. Michael Alonso, Alonso Law Limited:

Provided written comment, objecting only to the inclusion of the name and contact information of the shared vehicle owner under Sec. 3(2)(c) of the regulation. Turo is not opposed to sharing other information required, including the VIN, license plate, certification, etc. It is only the name and contact information that Turo objects to disclosing. The name/contact info of Turo's hosts (vehicle owners) is non-public and is Turo's trade secret and proprietary information.

A copy of the recorded comments or the record of proceedings may be obtained by calling the Nevada Department of Taxation at (775) 684-2059 or by writing to the Department of Taxation, 1550 College Pkwy. Ste 115, Carson City, Nevada 89706, or by e-mailing the Department at sglazner@tax.state.nv.us.

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.

The Department received no public comment or testimony that required the Proposed Regulation to be changed.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. This must include adverse, beneficial, immediate and long-term effects.

(a) Estimated economic effect on the businesses which they are to regulate.

The adopted permanent regulation presents no reasonably foreseeable or anticipated adverse economic effects. The benefits of these regulations are that the industry along with the Department will be provided more clarity in implementing NRS Chapter 482C, (Senate Bill 389, chapter 313, Statutes of Nevada 2021).

(b) Estimated economic effect on the public which they are to regulate.

The adopted permanent regulation presents no reasonably foreseeable or anticipated adverse economic effects to the public. The benefits of these regulations are that the public along with the Department will be provided more clarity in implementing NRS Chapter 482C (Senate Bill 389, chapter 313, Statutes of Nevada 2021).

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

Enforcement of the adopted regulation presents no significant foreseeable or anticipated cost or decrease in costs.

- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The adopted permanent regulation does not overlap or duplicate any regulation of other state or local governmental entities.

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

The Department is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

- 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.**

The adopted permanent regulation does not include new fees or increase an existing fee.