

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

**LCB FILE NO. R081-22I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 05/31/2022**

PROPOSED REGULATION OF THE  
NEVADA DEPARTMENT OF MOTOR VEHICLES

April 24, 2022

**Explanation:** Matter in *bold italics* is new material; matter in ~~red~~ is material proposing to be omitted.

**Purpose:** To create a new chapter of regulations under the Nevada Administrative Code (NAC), Chapter 482B, to allow the Department of Motor Vehicles to effectively oversee the administration of regulations relating to autonomous vehicles and electric vehicle transportation systems.

**Authority:** Nevada Revised Statutes (NRS) 482A.110 (Department only entity authorized to adopt regulations or impose requirements on certain technology related to automated driving systems or autonomous vehicles; local government prohibited from imposing tax, fee or other requirements) and 482B.150 (Alternative electronic transportation system vehicles: Department may adopt regulations authorizing operation and testing; insurance requirements).

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**Section 1. Chapter 482B of the Nevada Administrative Code (NAC) is hereby created by adding thereto the following new language contained in Sections 2 through 17:**

***GENERAL PROVISIONS***

**Section 2. *Definitions.***

**Section 3. *“Certificate of compliance” defined.***

**Section 4. *Operators.***

**Section 5. *Registration: Requirement for operation; proof of insurance; requirements for vehicle equipped with an alternative electronic transportation system or a mobile transportation device.***

**Section 6. *Confidentiality of documents and records submitted or obtained by Department; disclosure under certain circumstances.***

## ***TESTING AND OPERATION OF AN ALTERNATIVE ELECTRONIC TRANSPORTATION SYSTEM OR MOBILE TRANSPORTATION DEVICE***

**Section 7.** *Requirements for testing or operating vehicle upon highways of this State.*

**Section 8.** *Application for testing certificate and testing license plates; fees; duties of certificate holder.*

### ***GENERAL PROVISIONS***

**Section 9.** *Definitions. (NRS 482B.010) As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482B.015 to 482B.040 have the meanings ascribed to them in those sections.*

**Section 10.** *“Active Physical Control” defined. “Active Physical Control” means controlling a vehicle or mobile transportation device equipped with an alternative electronic transportation system engaged from inside the vehicle or device.*

**Section 11.** *“Active Remote Control” defined. “Active Remote Control” means controlling a vehicle or mobile transportation device equipped with an alternative electronic transportation system engaged from a remote location and not physically inside the vehicle or device.*

**Section 12.** *“Certificate of compliance” defined. (NRS 482A.100) “Certificate of compliance” means a document which certifies that a vehicle equipped with an alternative electronic transportation system or a mobile transportation device meets the applicable requirements of chapter 482B of NRS.*

**Section 13.** *Operators. (NRS 482B.015, 482B.020) A person shall be deemed an operator of an alternative electronic transportation system if the person is in active physical control or active remote control of a vehicle or mobile transportation device equipped with an alternative electronic transportation system that is actively engaged.*

**Section 14.** *Registration: Requirement for operation; proof of insurance; requirements for a vehicle or mobile transportation device equipped with an Alternative Electronic Transportation System. (NRS 482B.020)*

1. *A vehicle or mobile transportation device equipped with an alternative electronic transportation system must be registered before the vehicle or device may be operated on the highways of this State in the same manner and under the same circumstances as a vehicle which is not an alternative electronic transportation system or mobile transportation device which is required to be registered in this State pursuant to chapter 482 of NRS.*

2. *Before a vehicle or mobile transportation device equipped with an alternative electronic transportation system may be registered in this State, the owner of the vehicle or mobile transportation device must submit to the Department, in addition to any other requirement set forth in chapter 482 or 482B of NRS for registering a vehicle:*

*(a) Proof that the person has obtained the insurance coverage required pursuant to NRS 485.185, and not an operator's policy of liability insurance pursuant to NRS 485.186.*

*(b) Except as otherwise provided in subsection 3, for a vehicle or mobile transportation device equipped with an alternative electronic transportation system, a signed affidavit, on a form prescribed by the Department, which states that the operator of the vehicle or device has been trained in the capabilities and limitations and holds the proper class of driver license for the class of vehicle or mobile transportation device, as applicable, equipped with the alternative electronic transportation system.*

*(c) The type of vehicle or mobile transportation device equipped with an alternative electronic transportation system vehicle, including, without limitation, whether the vehicle or device is capable of disengaging and achieving a minimal risk condition.*

*(d) Any other information requested by the Department to determine if the vehicle or mobile transportation device equipped with an alternative electronic transportation system meets vehicle requirements to be operated on the highways of this State; and*

3. *A person who registers a fleet of vehicles or mobile transportation devices equipped with an alternative electronic transportation system must, in addition to the requirements of subsection 2, provide a signed affidavit, on a form prescribed by the Department, which states that every person who is authorized by the person registering the fleet to operate a vehicle or device equipped with an alternative electronic transportation system that is part of the fleet has been trained in the capabilities and limitations of the vehicle or device as it is equipped with the alternative electronic transportation system.*

**Section 15.** *Confidentiality of documents and records submitted or obtained by Department; disclosure under certain circumstances. (NRS 482A.100)*

1. *The Department will keep confidential any document or record submitted to or obtained by the Department pursuant to this chapter and chapter 482B of NRS in relation to the testing or operation of any vehicle equipped with an alternative electronic transportation system or a mobile transportation device*

2. *Any document or record that the Department keeps confidential pursuant to subsection 1:*

*(a) Is deemed to be the proprietary or confidential information of the person who submitted the document or record;*

*(b) Is not a public record; and*

*(c) Will not be disclosed by the Department unless:*

*(1) The Department first obtains the consent of the person who submitted the document or record; or*

*(2) The Department is ordered to disclose the document or record by a court of competent jurisdiction.*

### ***TESTING AND OPERATION OF AN ALTERNATIVE ELECTRONIC TRANSPORTATION SYSTEM VEHICLE OR MOBILE TRANSPORTATION DEVICE***

**Section 16.** *Requirements for testing or operating vehicles upon highways of this State. (NRS 482A.100)*

*1. A vehicle or mobile transportation device equipped with an alternative electronic transportation system may not be tested on the highways of this State until the person who is responsible for the testing of the vehicle or device has submitted to the Department a certificate of compliance for the vehicle or device and obtained a testing certificate and testing license plates pursuant to NRS 482A.100*

*2. A vehicle or mobile transportation device equipped with an alternative electronic transportation system may not be operated on the highways of this State until:*

*(a) The manufacturer of the vehicle or mobile transportation device equipped with an alternative electronic transportation system, or the manufacturer or developer of the alternative electronic transportation system has submitted to the Department a certificate of compliance for the alternative electronic transportation system; and*

*(b) The owner or operator of the vehicle or mobile transportation device equipped with an electronic transportation system has obtained from the Department registration for the electronic transportation systems vehicle pursuant to chapter 482 of NRS.*

*3. A certificate of compliance required by this section must:*

*(a) Be made on a form prescribed by the Department; and*

*(b) Certify that the vehicle or mobile transportation device equipped with an electronic transportation system, as applicable, meets the applicable requirements of 482A.100 and 482B.080.*

**Section 17.** *Application for testing certificate and testing license plates; fees; duties of certificate holder. (NRS 482A.100, 482A.100)*

*1. A person may not test a vehicle or mobile transportation device equipped with an electronic transportation system on the highways of this State unless the person has met the requirements of NRS 482A.100 and obtained a testing certificate and testing license plates. A person may apply for a testing certificate and testing license plates which, when attached to a vehicle or mobile transportation device equipped with an electronic transportation system, authorize solely the testing of the vehicle or mobile transportation device, on the highways of this State by submitting to the Department:*

*(a) A form prescribed by the Department to request a testing certificate and testing license plates.*

*(b) A document on which the developer of the electronic transportation system installed on a vehicle or mobile transportation device certifies that the electronic transportation system, or both the vehicle or mobile transportation device meet the applicable requirements of NRS 482A.100 and 482A.100.*

*2. A form to request a testing certificate and testing license plates submitted pursuant to this section must be accompanied by a nonrefundable fee of \$100 and a nonrefundable fee of \$12 for each set of testing license plates requested by the applicant.*

*3. A person who holds a testing certificate that is issued by the Department pursuant to this section:*

*(a) For the purposes of NRS 482A.100, must provide to the Department a copy of any report prepared by law enforcement personnel and, if no report was prepared by law enforcement personnel, a completed "Report of Traffic Crash," form SR-1, available on the Internet website of the Department;*

*(b) Must ensure that the testing certificate is:*

*(1) In the electronic transportation system equipped vehicle or mobile transportation device at all times when the vehicle or mobile transportation device is being tested; and*

*(2) Accessible and available to be examined by a peace officer regardless of the presence or absence of any person in the vehicle or mobile transportation device; and*

*(c) Is not required to register, pursuant to chapter 482 of NRS, a vehicle or mobile transportation device equipped with an electronic transportation system if the person is solely testing the electronic transportation system equipped vehicle or mobile transportation device.*