ADOPTED REGULATION OF THE

DEPARTMENT OF MOTOR VEHICLES

LCB File No. R097-19

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[~~omitted material~~]** is material to be omitted.

AUTHORITY: §§1-4, Section 2 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3000 (NRS 482.2175).

A REGULATION relating to motor vehicles; establishing requirements for the pilot program of the Department of Motor Vehicles to gather data on annual vehicle miles travelled; exempting certain vehicles from the requirements of the pilot program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Motor Vehicles to conduct a pilot program to gather data on annual vehicle miles traveled and other relevant information for certain motor vehicles registered in this State and to prepare a report using the collected data. Existing law also requires the Department to adopt regulations establishing procedures for implementing the pilot program, including the procedures required for a person to provide to the Department the mileage shown on the odometer of each applicable vehicle and other information as the Department may require. (Section 2 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3000 (NRS 482.2175))

Section 2 of this regulation establishes definitions for certain categories of motor vehicles for which the annual vehicle miles must be addressed in the report prepared by the Department.

Existing law requires the owners of certain motor vehicles in this State to report the mileage shown on the odometer of the motor vehicle and certain other information required by the Department at the time of initial registration, renewal of registration and transfer of registration. (Section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177) **Section 3** of this regulation establishes requirements for the reporting of the mileage shown on the odometer of certain motor vehicles at the time of initial registration, renewal or registration or transfer of registration.

Existing law requires the Department to mail to each holder of a certificate of registration a notification for renewal of registration for the following period of registration. (NRS 482.280) **Section 3** provides that the Department will include in the notification a statement describing the procedures for a person to provide the mileage shown on the odometer of the vehicle depending on whether the renewal of registration must be submitted with evidence of compliance with standards for the control of emissions.

Existing law authorizes the Department to exempt certain vehicles from the pilot program as appropriate to avoid undue hardship for the registered owner of a motor vehicle. (Section 2 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3000 (NRS 482.2175)) **Section 4** of this regulation exempts certain categories of vehicles from the pilot program.

Section 1. Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. ***1. As used in section 2 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3000 (NRS 482.2175), the Department will interpret the following terms as provided below:***

(a) "Bus" has the meaning ascribed to it in NRS 482.013.

(b) "Heavy-duty motor vehicle" means a truck, not including a passenger car, motortruck or truck-tractor, that has a manufacturer's gross vehicle weight rating of more than 8,500 pounds but less than 26,001 pounds.

(c) "Light-duty motor vehicle" means a truck, not including a passenger car, that has a manufacturer's gross vehicle weight rating of 8,500 pounds or less.

(d) "Motortruck" means a truck, not including a truck-tractor, which:

(1) Is designed, used or maintained primarily for the transportation of property as described in NRS 482.073;

(2) Is not manufactured to tow a trailer; and

(3) Has a manufacturer's gross vehicle weight rating of 26,001 pounds or more.

(e) "Passenger car" has the meaning ascribed to it in NRS 482.087.

(f) "Recreational vehicle" means a vehicular-type unit which is primarily designed as temporary living quarters for travel, recreational or camping use and which is self-propelled.

(g) "Truck-tractor" means every motor vehicle, not including a motortruck, which:

(1) Is designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than the part of the weight of the vehicle and load so drawn; and

(2) Has a gross combination weight rating of 26,001 or more pounds which includes a towed unit with a gross vehicle weight rating of more than 10,000 pounds.

2. As used in this section, "truck" means every motor vehicle which is used for the transportation or delivery of goods with a body built and designed for that purpose.

Sec. 3. *1. Except as otherwise provided in subsection 4 of section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177) and section 4 of this regulation:*

(a) Each application for the initial registration of any motor vehicle and each application for the transfer of registration pursuant to NRS 482.399 must contain all of the information required by NRS 482.215 to be included in the application, as amended by section 4 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3002, including, without limitation, the mileage shown on the odometer of the vehicle at the time of application.

(b) Each application for the renewal of the registration of a motor vehicle must contain all information required by chapter 482 of NRS and this chapter to be included in the renewal, including, without limitation, the mileage shown on the odometer of the vehicle at the applicable time specified in subsection 2 of section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177).

2. If an applicant for the renewal of the registration of a vehicle is required to provide the mileage shown on the odometer of the vehicle pursuant to section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177) and subsection 1, the Department will include with the notification mailed pursuant to NRS 482.280:

(a) A statement which informs the applicant for renewal of the registration of the vehicle that the applicant is required to submit to the Department the mileage shown on the odometer of the vehicle at the time of the application for renewal;

(b) If the applicant is required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, a statement that the mileage shown on the odometer of the vehicle at the time of the inspection must be noted on the evidence of compliance; and

(c) If the applicant is not required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, the manner in which the applicant is required to provide the mileage shown on the odometer of the vehicle at the time of the application for renewal if the renewal application is submitted:

(1) Through the Internet;

(2) Through a kiosk;

(3) By mail; or

(4) To an agent or office of the Department.

Sec. 4. *1. The provisions of section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177) and subsection 1 of section 3 of this regulation, do not apply to a motor vehicle which:*

(a) Is registered as part of a fleet;

(b) Is registered by a short-term lessor;

(c) Is registered to a governmental entity;

(d) Was not equipped with an odometer at the time of manufacture; or

(e) Is listed in subsection 4 of section 3 of Assembly Bill No. 483, chapter 498, Statutes of Nevada 2019, at page 3001 (NRS 482.2177).

2. As used in this section, "fleet" means 10 or more motor vehicles, not including commercial motor vehicles, registered with the Department to the same person or entity and registered on the basis of a calendar year pursuant to NRS 482.206.