

**ADOPTED REGULATION OF THE DEPARTMENT OF MOTOR
VEHICLES AND PUBLIC SAFETY**

LCB File No. R176-97

Effective June 4, 1998

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

AUTHORITY: §§2 and 4-11, NRS 485.130; §3, NRS 485.130 and 485.320 (as amended by §7 of chapter 298, Statutes of Nevada 1997, at page 1086).

Section 1. Chapter 485 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

Sec. 2. *“Department” means the department of motor vehicles and public safety.*

Sec. 3. *As used in NRS 485.0335, the department will interpret the phrase:*

1. “Extended period” to mean:

(a) With respect to a motor vehicle that will not be operated because of mechanical circumstances, a period of not less than 30 days nor more than 6 months.

(b) With respect to a motor vehicle that will not be operated because of seasonal circumstances, a period of not less than 3 months.

2. “Mechanical circumstances” to mean that the components or systems of a motor vehicle have failed to such an extent that the vehicle cannot be operated.

3. “Seasonal circumstances” to mean that a motor vehicle is not used during certain periods of the year because of weather or other factors which make operation of the vehicle during those periods undesirable, unnecessary or impractical.

Sec. 4. *1. As used in NRS 485.314, the department will interpret the term:*

(a) *“Amended” to include:*

- (1) *The addition or removal of a motor vehicle from a motor vehicle liability policy;*
- (2) *The addition or removal of a driver from a motor vehicle liability policy; and*
- (3) *The correction of erroneous information within a motor vehicle liability policy.*

(b) *“Issued” to include:*

- (1) *Issuance of a new motor vehicle liability policy; and*
- (2) *Reinstatement of a motor vehicle liability policy after there has been a lapse in coverage.*

(c) *“Terminated” to include:*

- (1) *The expiration and nonrenewal of a motor vehicle liability policy; and*
- (2) *The cancellation of a motor vehicle liability policy by the insurance company that issued the policy,*
whether such expiration and nonrenewal or cancellation applies to one or all of the motor vehicles covered under the policy.

2. *As used in NRS 485.314 and section 5 of this regulation, the department will interpret the phrase “identification number of each insured” to mean:*

(a) *If the insured is a natural person, the social security number or driver’s license number of that person.*

(b) *If the insured is not a natural person, the employer identification number of that entity.*

Sec. 5. *An insurer that is required to provide the department with a record pursuant to subsection 1 of NRS 485.314 shall ensure that the record includes, in addition to the items required pursuant to that subsection:*

1. *The name or identification number of each insured who is removed from the motor vehicle liability policy;*
2. *The make, year and vehicle identification number of each motor vehicle that is removed from the motor vehicle liability policy; and*
3. *Data that identifies any incorrect information that the insurer provided to the department previously, accompanied by new and accurate information.*

Sec. 6. *1. Except as otherwise provided in subsection 3, an insurer that:*

(a) Insures motor vehicles which are registered in this state; or

(b) Issues motor vehicle liability policies that do not describe specific vehicles to:

(1) Companies who own or operate a fleet of vehicles and whose place of business is located in this state; or

(2) Residents of this state who own or operate a fleet of vehicles, shall submit a record required pursuant to NRS 485.314 in the form prescribed in subsection 2.

2. A record submitted pursuant to NRS 485.314 must be contained:

(a) On a magnetic cartridge;

(b) On a magnetic reel tape; or

(c) In a direct electronic transmission of data, after the department is able to receive such a transmission,

which complies with a list of specifications that is available from the department.

3. If an insurer:

(a) Insures fewer than 200 vehicles that are registered in this state; or

(b) Issues fewer than 200 motor vehicle liability policies that do not describe specific vehicles to:

(1) Companies who own or operate a fleet of vehicles and whose place of business is located in this state; or

(2) Residents of this state who own or operate a fleet of vehicles, the insurer may, in addition to using the methods of submitting records set forth in subsection 2, submit a record required pursuant to NRS 485.314 on a computer diskette that is 3 1/2 inches wide, IBM compatible, double-sided with double or high density and formatted to comply with a list of specifications which is available from the department. Such a diskette must be submitted to the Insurance Verification Program, DMV/PS Registration Division, 555 Wright Way, Carson City, NV 89711-0800.

Sec. 7. *If in a particular month an insurer that is required to comply with NRS 485.314 has no issuances, amendments or terminations of motor vehicle liability policies to report, the insurer shall, on or before the 15th calendar day of that month, submit to the department a record stating that the insurer has no activity to report. Such a record must be submitted on a form made available by the department for this purpose.*

Sec. 8. 1. *If pursuant to NRS 485.314 the department receives from an insurer a record that contains an error, the department will return the record to the insurer for correction.*

2. Upon receipt of a record that is returned for correction pursuant to subsection 1, the insurer shall correct the error and resubmit the record to the department on or before the 15th calendar day of the following month.

Sec. 9. *1. If on two or more occasions within a 12-month period an insurer fails to submit records required pursuant to sections 5, 6 or 7 of this regulation, the department will consider the insurer to be in noncompliance with the provisions of NRS 485.314.*

2. If the department determines pursuant to subsection 1 that an insurer is in noncompliance with NRS 485.314, the department will not provide to that insurer information regarding:

(a) A driver's license; or

(b) The registration of a vehicle,

until such time as the department receives from that insurer each record that the insurer previously failed to submit.

Sec. 10. *If an insurer decides that it will discontinue the practice of issuing and renewing motor vehicle liability policies within this state, the insurer shall, within 30 days after making such a decision:*

1. Notify the department of that decision; and

2. Submit to the department a record which contains the date of expiration of each motor vehicle liability policy that the insurer has issued for a vehicle that is registered in this state.

Sec. 11. NAC 485.010 is hereby amended to read as follows:

485.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 485.020 *and section 2 of this regulation* and in NRS [485.029] 485.028 to 485.120, inclusive, have the meanings ascribed to them in those sections.