

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

LCB File No. R084-03

September 25, 2003

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

AUTHORITY: §1, NRS 481.052; §§2-4, NRS 481.063.

Section 1. NAC 481.005 is hereby amended to read as follows:

481.005 As used in chapters 482 and 483 of NRS, “seasonal resident” means any person who is not a “resident” as defined in NRS 483.141 and who:

1. Temporarily resides in this state for a period of at least 31 consecutive days in each calendar year;
2. Maintains a temporary residence in this state;
3. Returns to the state or jurisdiction of his residence at least one time during each calendar year; ~~and~~
4. Is registered to vote or pays income tax in another state or jurisdiction ~~and~~; *and*
5. *Does not engage in a trade, profession, occupation or gainful employment in this state.*

Sec. 2. NAC 481.550 is hereby amended to read as follows:

481.550 1. As used in ~~NRS 481.063 and~~ NAC 481.550 to 481.600, inclusive, unless the context otherwise requires:

- (a) ~~“Department” means the Department of Motor Vehicles.~~
- ~~(b)~~ *“Personal information” has the meaning ascribed to it in subsection 11 of NRS 481.063.*

(b) “Requester” means a person who wants to obtain personal information relating to the driver’s license, the identification card, or the title or registration of a vehicle from:

- (1) The Department; or
- (2) The files and records of the Department.

2. As used in NRS 481.063, unless the context otherwise requires ~~it~~, *the Department interprets:*

(a) “Law enforcement agency” ~~means~~ *to mean* a governmental agency or division thereof which:

- (1) Is responsible for enforcing laws and ordinances; and
- (2) Has obtained an originating agency identifier number from:
 - (I) The National Law Enforcement Telecommunications System; or
 - (II) The National Crime Information Center.

(b) “List which includes license plate numbers” ~~means~~ *to mean* a list of information which includes one or more numbers of license plates issued by the Department.

(c) “Request information electronically” ~~means~~ *to mean* to request information by electronic means, including, but not limited to, by facsimile, tape-to-tape transmission or telephone.

(d) “Requester” to have the meaning ascribed to it in subsection 1.

Sec. 3. NAC 481.570 is hereby amended to read as follows:

481.570 1. To obtain personal information relating to the driver’s license, identification card, or title or registration of a vehicle of a person, a requester ~~shall,~~ *must*, unless the requester has opened an account with the Department pursuant to NRS 481.063 and NAC 481.580, submit to the Department:

(a) A completed application, on a form provided by the Department, which sets forth the type and proposed use of the requested information;

(b) An affidavit, on a form provided by the Department, which acknowledges that the request for and the proposed use of the personal information is in compliance with NRS 481.063 and NAC 481.550 to 481.600, inclusive;

(c) Proof of employment or licensure, as applicable; and

(d) Such other information as the Department may reasonably require to evaluate the request for personal information.

2. If the request for personal information is made in a place other than the main office of the Department in Carson City, the Department will forward the request to its ~~main office~~ *Central Services Records Section* in Carson City.

Sec. 4. NAC 481.580 is hereby amended to read as follows:

481.580 1. To open an account with the Department pursuant to NRS 481.063, the requester ~~shall~~ *must* submit to the Department:

(a) A completed application, on a form provided by the Department, which sets forth the proposed type and use of the information requested;

(b) A notarized affidavit in compliance with subsection 9 of NRS 481.063, on a form provided by the Department;

(c) Proof of the employment or licensure, as applicable, which is satisfactory to the Department that the person requesting to open the account is authorized to have access to that information; and

(d) Such other information as the Department may reasonably require to evaluate the request to open an account.

2. If the request to open an account is made in a place other than the main office of the Department in Carson City, the Department will forward the request to its ~~{main-office}~~ *Central Services Records Section* in Carson City.

3. If the Department approves an application to open an account, the Department will assign an account number to the requester. A requester to whom an account number has been assigned shall use that account number when requesting personal information from the Department pursuant to NRS 481.063 and NAC 481.550 to 481.600, inclusive.