

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

LCB File No. R085-03

August 19, 2003

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

AUTHORITY: §§1 and 2, NRS 482.281.

Section 1. NAC 482.720 is hereby amended to read as follows:

482.720 To be eligible to participate in the program, an authorized inspection station or authorized station must not:

1. Have committed any violation set forth in NRS 445B.790;
2. ~~Be~~ *Employ or be* owned, in whole or in part, by any person who has been convicted of a felony for committing:
 - (a) A deceptive trade practice; ~~or~~
 - (b) Embezzlement; *or*
 - (c) *Fraud*;
3. Have issued a check to the Department in payment of the fee to obtain forms certifying emission control compliance set forth in NRS 445B.830 that was returned for insufficient money or credit to pay the check; or
4. Possess a license from the Department to engage in the activities of:
 - (a) A vehicle transporter pursuant to the provisions of NRS 482.3161;
 - (b) A broker of vehicles pursuant to the provisions of NRS 482.333;

(c) Dismantling, scrapping, processing or wrecking a vehicle pursuant to the provisions of NRS 487.050;

(d) Operating a salvage pool pursuant to the provisions of NRS 487.410; or

(e) Operating a body shop pursuant to the provisions of NRS 487.610.

Sec. 2. NAC 482.760 is hereby amended to read as follows:

482.760 **1.** During the period of its participation in the program, an authorized inspection station or authorized station:

~~(1)~~ **(a)** Shall:

~~(a)~~ **(1)** Be open to the public for the renewal of certificates of registration for motor vehicles at least Monday through Friday from 8 a.m. to 5 p.m., except on the holidays set forth in NRS 236.015;

~~(b)~~ **(2)** Employ at the station at least two approved inspectors whose duties include the renewal of certificates of registration for motor vehicles and who are licensed pursuant to the provisions of NAC 445B.485 to 445B.502, inclusive;

~~(c)~~ **(3)** Maintain the records relating to the program where the renewal of certificates of registration for motor vehicles are issued;

~~(d)~~ **(4)** Authorize the Department or any person designated by the Department to conduct audits of the station's records relating to the program:

~~(1)~~ **(I)** Within 3 months after the authorized inspection station or authorized station begins issuing the renewal of certificates of registration for motor vehicles;

~~(2)~~ **(II)** At least once every 12 months after completion of the initial audit; and

~~(3)~~ **(III)** At any other time requested by the Department; ~~and~~

~~(e)~~

(5) Use software that is issued and installed in an exhaust gas analyzer by the Department to process the renewal of certificates of registration for motor vehicles; and

(6) Deposit the money it has collected from the renewal of certificates of registration for motor vehicles with the Department at the location designated by the Department. The deposits must be made:

~~[(1)]~~ *(I) Not less than once each calendar week; ~~and~~*

~~[(2)]~~ *(II) If the money accumulated for deposit is \$10,000 or more, not later than the next business day ~~f~~*

~~—2.]~~; *and*

(III) In the same form as received from each customer.

(b) Shall not:

~~[(a)]~~ *(1) Employ a person to renew certificates of registration for motor vehicles unless the person:*

(I) Completes a course of instruction provided for that purpose by the Department;

and

(II) Receives from the Department a certificate of completion for the course;

(2) Charge a fee of more than \$10 to renew a certificate of registration for a motor vehicle;

or

~~[(b)]~~ *(3) Use or permit its employees to use:*

~~[(4)]~~ *(I) False, deceptive or misleading advertising to induce a person to renew the certificate of registration for his motor vehicle at that authorized inspection station or authorized station; or*

~~[(2)]~~ **(II)** The name of the Department or the State Seal in any advertisement for the renewal of a certificate of registration for a motor vehicle.

~~[3.— May:~~

~~—(a) Use software that is issued and installed by the Department to process the renewal of certificates of registration for motor vehicles; and~~

~~—(b) Use the website of the Department on the Internet to process the renewal of certificates of registration for motor vehicles.]~~

2. As used in this section, “exhaust gas analyzer” means a device for sensing the amount of air contaminants in the exhaust emissions of a motor vehicle.