

**Chapter 482 of NAC**

**LCB File No. T010-05**

**ADOPTED TEMPORARY REGULATION OF THE  
DEPARTMENT OF MOTOR VEHICLES**

**Filed with the Secretary of State on April 1, 2005.**

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

Authority: NRS 482.281

NAC 482.760 is hereby amended to read as follows:

**NAC 482.760 Duties of and restrictions on participants.** (NRS 482.281)

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

(a) Shall:

(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;

(2) Employ at the station at least one approved inspector whose duties include the renewal of certificates of registration for motor vehicles and who is licensed pursuant to the provisions of NAC 445B.485 to 445B.502, inclusive;

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

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

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

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

(III) At any other time requested by the Department;

(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:

(I) Not less than once each calendar week;

(II) If the money accumulated for deposit is \$10,000 or more, not later than the next business day; and

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

(b) Shall not:

(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

(3) Use or permit its employees to use:

(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

(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~~["."];~~ *or*

*(III) The name of the Department in any advertisement for the renewal of a certificate of registration for a motor vehicle, unless the Department has provided the image, logo or other material containing the Department's name to the authorized inspection station or authorized station with authorization to use the image, logo or other material, including any conditions for use. Any advertisement containing the Department authorized material must not state, or imply, that the Department endorses their station and must comply with the provisions of this Chapter.*

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.

## NOTICE OF ADOPTION OF TEMPORARY REGULATION

The Department of Motor Vehicles adopted regulations assigned LCB File No. T010-05 that pertain to chapter 482 of the Nevada Administrative Code on April 1, 2005.

**Notice date: 1/27/05**

**Workshop dates: 3/29/05**

**Hearing date: 3/29/05**

**Date of adoption by agency: 4/1/05**

**Filing date: 4/1/05**

### INFORMATIONAL STATEMENT

**1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

The Department of Motor Vehicles noticed public workshop and public hearing for LCB File T010-05 on January 27, 2005 by posting at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. In counties where the Department does not maintain an office, the notice was posted at the main office of the public libraries. The public workshop and hearing was held on March 29, 2005. A copy of written comments may be obtained by calling the Nevada Department of Motor Vehicles at (775) 684-4682 or by writing to the Department's Management Services and Programs Division at 555 Wright Way, Carson City, NV. 89711.

**2. The number persons who:**

**(a) Attended each hearing: 0**

**(b) Testified at each hearing: 0**

**(c) Submitted to the agency written comments: 0**

**3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from businesses through postings as outlined in question one, and by direct mail to the Departments interested parties' lists. A copy of the written comments may be obtained by calling the Nevada Department of Motor Vehicles at (775) 684-4805 or by writing to:

Department of Motor Vehicles  
Management Services and Programs Division  
555 Wright Way,  
Carson City, NV. 89711  
Attention: Ivie Harper

- 4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The temporary regulation will be adopted by the Department of Motor Vehicles on April 1, 2005 without any changes due to no public or business interest.

- 5. The estimated economic effect of the adopted regulation on the businesses that it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

(a) The proposed revisions are not expected to have any immediate or long-term adverse or beneficial effect upon the regulated community.

(b) The proposed revisions are not expected to have any immediate or long-term adverse or beneficial effect on the public.

- 6. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation.

- 7. A description of any regulations of other state or government agencies that the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agency regulations that the proposed amendments duplicate.

- 8. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

The proposed regulations are in compliance with federal regulations and are not more stringent than federal requirements and regulations.

- 9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide or involve a new fee, and hence since no fee is involved, there is not a total amount expected to be collected or used.