

LCB File No. R133-06

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

NOTICE OF INTENT TO ACT UPON A REGULATION

**NOTICE OF PUBLIC WORKSHOP/HEARING
FOR THE ADOPTION OF REGULATIONS FOR
THE DEPARTMENT OF MOTOR VEHICLES**

The Department of Motor Vehicles will hold public workshops and hearings at the following locations on the date and time specified:

**PUBLIC WORKSHOP
CARSON CITY**

**PUBLIC HEARING
CARSON CITY**

**July 25, 2006 9:00 am
Health & Human Services Dept.
Kinkead Building 1st floor
505 East King Street
Carson City, NV 89701**

Immediately following the workshop

**Video conferencing will be provided to Las Vegas at 3811 West Charleston, Room 209
Health and Human Services Dept.**

The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to chapters 365, 366, 482, 487, and 706 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The proposed amendment will require the filing of the Federal Employer Identification Number on all initial and renewal applications for business licenses and/or registrations regulated by the Department of Motor Vehicles.

There is no economic effect of the regulation on the public or businesses regulated.

There is no cost to the agency for enforcement of the proposed regulations.

The proposed amendments to the regulations do not overlap that of any other state, local, or federal governmental agency. These regulations are not required pursuant to federal law.

Persons wishing to comment upon the proposed action of the Department of Motor Vehicles may appear at the scheduled public workshop and hearing or may address their comments in written form to:

Teri Baltisberger

Department of Motor Vehicles
Research and Development Division
555 Wright Way
Carson City, NV 89711

Written submission must be received by the Department of Motor Vehicles on or before **July 27, 2006**.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department of Motor Vehicles may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and regulations to be amended will be available at each of the Department of Motor Vehicles listed, and at the main public libraries listed, for inspection and copying by members of the public during business hours. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the locations listed on the attached page.

Dated: **June 12, 2006**.

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:

DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICES

Office of the Director
555 Wright Way
Carson City, NV. 89711

1085 Highway 95
Hawthorne, NV. 89415

8250 West Flamingo Rd.
Las Vegas, NV. 89147

3030 S. Needles Highway, Ste. 900
Laughlin, NV. 89028

3920 E. Idaho St.
Elko, NV. 89801

1360 Basin Road
Pahrump, NV. 89060

178 Avenue F
Ely, NV. 89301

330 N. Sandhill Rd. Ste. H
Mesquite, NV. 89027

973 W. Williams Ave.
Fallon, NV. 89406

4021 W. Carey Ave.
N. Las Vegas, NV. 89030

400 Howerton Hill
Tonopah, NV. 89049

3505 Construction Way
Winnemucca, NV. 89445

215 West Bridge St. No. 9
Yerington, NV. 89447

1694 County Rd.
Minden, NV. 89423

305 Galletti Way
Reno, NV. 89512

1399 American Pacific Dr.
Henderson, NV. 89014

2701 E. Sahara Ave.
Las Vegas, NV. 89104

LIBRARIES

Goldfield Public Library
Fourth & Crook St.
Goldfield, NV. 89013

Lincoln County Library
93 Main St.
Pioche, NV. 89043

Eureka Branch Library
10190 Monroe St.
Eureka, NV. 89316

Battle Mountain Branch
625 Broad St.
Battle Mountain, NV. 89820

Pershing County Library
1125 Central Ave.
Lovelock, NV. 89419

Storey County Library
95 South R St.
Virginia City, NV. 89440

Nevada Tax Payers Association
501 S. Carson St. Ste.301
Carson City, NV. 89701

Mineral County Library
1125 Central Ave.
Hawthorn NV. 89419

Nevada State Library
100 North Stewart St.
Carson City, NV. 89701

LCB File No. R133-06

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

(This draft replaces the one posted June 1, 2006)

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

AUTHORITY: NRS 481.051, NRS 365.110, NRS 366.110, NRS 366.220, NRS 482.160, NRS 706.171

Section 1 Chapter 365 of NAC is hereby amended by adding thereto a new section to read as follows:

An application for a license to operate as a dealer or supplier must include the federal identification number of the business.

Sec. 2. NAC 365.162 is hereby amended to read as follows:

NAC 365.162 Application for and issuance of license as exporter; exportation to additional jurisdictions. (NRS 365.110, 365.280, 365.300)

1. An applicant for a license as an exporter issued pursuant to the provisions of NRS 365.300 must submit to the Department an application on a form provided by the Department.

2. An application submitted pursuant to this section must be accompanied by a list of the states or other jurisdictions to which the applicant wishes to export and proof satisfactory to the Department that the applicant is licensed or registered to import motor vehicle fuel or other petroleum products, other than aviation fuel, into each state or other jurisdiction to which he wishes to export such fuel or products.

3. Except as otherwise provided in subsection 2 of NRS 365.300, the Department will issue a license as an exporter upon receipt and approval of:

(a) A completed application *that includes the federal identification number of the business*;
and

(b) Any proof required by the Department pursuant to subsection 2.

4. If an exporter wishes to export to a state or other jurisdiction in which he was not licensed or registered to import motor vehicle fuel or other petroleum products, other than aviation fuel, when he submitted his original application pursuant to this section, he must file an addendum to his original application providing proof satisfactory to the Department of his licensure or registration to import motor vehicle fuel or other petroleum products, other than aviation fuel, into each state or other jurisdiction to which he wishes to export such fuel or products and the date on which such licensure or registration became effective. The Department will notify the exporter of the date on which he may begin exporting to that state or other jurisdiction upon receipt and approval of any proof required by the Department pursuant to this subsection.

Sec. 3. NAC 365.164 is hereby amended to read as follows:

NAC 365.164 Application for and issuance of license as transporter. (NRS 365.110, 365.280, 365.300)

1. An applicant for a license as a transporter issued pursuant to the provisions of NRS 365.300 must submit to the Department an application on a form provided by the Department.

2. An application submitted pursuant to this section must be accompanied by a list of the states or other jurisdictions to which the applicant wishes to transport and proof satisfactory to the Department of the valid registration of each vehicle which the applicant will use in the transportation of fuel, whether the vehicle is apportioned or base-plated.

3. Except as otherwise provided in subsection 2 of NRS 365.300, the Department will issue a license as a transporter upon receipt and approval of:

(a) A completed application *that includes the federal identification number of the business*;
and

(b) Any proof required by the Department pursuant to subsection 2.

Sec. 4 Chapter 366 of NAC is hereby amended by adding thereto a new section to read as follows:

1. An application for a license to operate as a special fuel dealer, special fuel supplier, or special fuel user must include the federal identification number of the business.

Sec. 5. NAC 366.0068 is hereby amended to read as follows:

NAC 366.0068 Special fuel exporter: Application for and issuance of license; exportation to additional jurisdictions. (NRS 366.220, 366.240)

1. An applicant for a special fuel exporter's license issued pursuant to the provisions of NRS 366.240 must submit to the Department an application on a form provided by the Department.

2. An application submitted pursuant to this section must be accompanied by a list of the states or other jurisdictions to which the applicant wishes to export and proof satisfactory to the Department that the applicant is licensed or registered to import special fuel or other petroleum products into each state or other jurisdiction to which he wishes to export such fuel or products.

3. Except as otherwise provided in subsection 2 of NRS 366.240, the Department will issue a special fuel exporter's license upon receipt and approval of:

(a) A completed application *that includes the federal identification number of the business*;
and

(b) Any proof required by the Department pursuant to subsection 2.

4. If a special fuel exporter wishes to export to a state or other jurisdiction in which he was not licensed or registered to import special fuel or other petroleum products when he submitted

his original application pursuant to this section, he must file an addendum to his original application providing proof satisfactory to the Department of his licensure or registration to import special fuel or other petroleum products into each state or other jurisdiction to which he wishes to export such fuel or products and the date on which such licensure or registration became effective. The Department will notify the special fuel exporter of the date on which he may begin exporting to that state or other jurisdiction upon receipt and approval of any proof required by the Department pursuant to this subsection.

Sec. 6. NAC 366.0069 is hereby amended to read as follows:

NAC 366.0069 Special fuel transporter: Application for and issuance of license. (NRS 366.220, 366.240)

1. An applicant for a special fuel transporter's license issued pursuant to the provisions of NRS 366.240 must submit to the Department an application on a form provided by the Department.

2. An application submitted pursuant to this section must be accompanied by a list of the states or other jurisdictions to which the applicant wishes to transport and proof satisfactory to the Department of the valid registration of each vehicle which the applicant will use in the transportation of special fuel, whether the vehicle is apportioned or base-plated.

3. Except as otherwise provided in subsection 2 of NRS 366.240, the Department will issue a special fuel transporter's license upon receipt and approval of:

(a) A completed application *that includes the federal identification number of the business*;
and

(b) Any proof required by the Department pursuant to subsection 2.

Sec. 7. Chapter 482 of NAC is hereby amended by adding thereto a new section to read as follows:

In addition to the requirements set forth in Nevada Revised Statute 482.300, 482.3163, 482.325, 482.333 and 482.363, an application for initial licensing or renewal of a license to operate as a short term lessor, transporter, manufacturer, rebuilder, distributor, dealer, broker or lessor, must include the federal identification number of the business.

Sec. 8. Chapter 487 of NAC is hereby amended by adding thereto the provisions set forth as sections 9 through 12 of this regulation.

Sec. 9. Chapter 487 of NAC is hereby amended by adding thereto a new section to read as follows:

In addition to the requirements set forth in Nevada Revised Statute 487.050 and 487.060, an application for initial licensing or renewal of a license to operate as an automobile wrecker must include the federal identification number of the business.

Sec. 10. Chapter 487 of NAC is hereby amended by adding thereto a new section to read as follows:

In addition to the requirements set forth in Nevada Revised Statute 487.410 and 487.420, an application for initial licensing or renewal of a license to operate as a salvage pool must include the federal identification number of the business.

Sec. 11. Chapter 487 of NAC is hereby amended by adding thereto a new section to read as follows:

In addition to the requirements set forth in Nevada Revised Statute 487.560 and 487.563, an application for initial issuance or renewal of a registration to operate as a garage must include the federal identification number of the business.

Sec. 12. Chapter 487 of NAC is hereby amended by adding thereto a new section to read as follows:

In addition to the requirements set forth in Nevada Revised Statute 487.630, an application for renewal of a license to operate as a body shop must include the federal identification number of the business.

Sec. 13. Chapter 706 of NAC is hereby amended by adding thereto a new section to read as follows:

An application for a license to operate as a common, contract or private motor carrier of property must include the federal identification number of the business.