

**LCB File No. R148-06**

**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 10:00 am  
Health & Human Services Dept.  
Kinkead Building 1<sup>st</sup> 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 chapter 590 of the Nevada Administrative Code.

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

The proposed amendment is to update and adopt regulations originally adopted by the Department of Taxation in regards to the collection and refund of the fee imposed for the Fund for Cleaning Up Discharges of Petroleum.

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 19, 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. R148-06**

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

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

AUTHORITY: NRS 590.840

**Section 1** NAC 590.800 is hereby amended to read as follows:

1. A dealer *or supplier* in petroleum products who is licensed in this State must pay the fee imposed by NRS 590.840 if:

(a) He imports gasoline, gasohol, aviation fuel, diesel fuel of grade number 1 or 2 or heating oil into this State; or

(b) He deals in any product listed in paragraph (a) that is refined in this State.

2. The fee must be remitted on the dealer's *or supplier's* monthly tax report.

**Sec. 2.** NAC 590.810 is hereby amended to read as follows:

1. The fee paid for a petroleum product may be refunded, or a credit may be given, upon proper application and proof that the product was exported from this State. A credit or refund will only be given to the exporter of record. Any refund must be applied for within 3 months after the date of exportation.

2. A dealer, *supplier, or exporter* in petroleum products who is not licensed in this State pursuant to NRS 365.270 must submit with his application for a refund:

(a) An invoice of the original purchase which indicates the fee was paid to his vendor; and

(b) Proof that the product was exported,

before the fee will be refunded.

3. A dealer *or supplier* in petroleum products who is licensed in this State may take a credit in lieu of a refund on his monthly fuel tax report if the report is documented on the forms prescribed by the Department to detail all acquisitions and disbursements.

4. For the purpose of this section, proof of exportation includes, but is not limited to:

(a) An export manifest; or

(b) A report of a dealer *or supplier* declaring the import to the receiving state.