

LCB File No. R150-08

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

**Notice of Public Workshop to Solicit Comments
On Proposed Regulation**

Department of Motor Vehicles

The Department of Motor Vehicles, 555 Wright Way, Carson City, Nevada 89711, (775) 684-4368 is proposing the adoption of amended regulations pertaining to chapters 360A, 365, and 366 of the Nevada Administrative Code. A workshop has been set to be held at the time and place below:

PUBLIC WORKSHOP

Monday, November 3, 2008, 10:00 a.m.

CARSON CITY

**NEVADA DEPARTMENT OF TRANSPORTATION
1263 S. STEWART ST., ROOM 302
CARSON CITY, NV. 89712**

Video conferencing will be provided to the following locations:

LAS VEGAS

**NEVADA DEPARTMENT OF TRANSPORTATION
123 E. WASHINGTON AVE., BLDG. B – TRAINING ROOM
LAS VEGAS, NV. 89101**

ELKO

**NEVADA DEPARTMENT OF TRANSPORTATION
1951 IDAHO ST.
ELKO, NV. 89801**

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

Proposed Regulation of the Department of Motor Vehicles, LCB File No. R150-08

This is a regulation relating to the Department of Motor Vehicles, Motor Carrier Division amending Chapters 360A, 365, and 366 of the Nevada Administrative Code (NAC) to comply

with Legislation passed during the 2007 Legislative Session. The amendments proposed in this regulation make various changes relating to the payment of certain taxes and fees imposed on motor vehicle fuel, aircraft fuel, and special fuels. The proposed amendments revise certain licensing procedures and establish administrative fines for late license renewal applications submitted to the Department by dealers, suppliers, exporters and transporters. In addition, the proposed amendments also revise provisions when claiming certain tax refunds on exempt uses of various types of fuels.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting:

Sean McDonald, Management Analyst III
Department of Motor Vehicles
Research and Development Division
555 Wright Way, Carson City, NV 89711
(775) 684-4773

A reasonable fee for copying may be charged. The text of the proposed regulation is also available on the Internet at <http://leg.state.NVus/Register/>.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations (as attached).

Date: October 13, 2008

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

1780 E. Basin Ave.
Pahrump, NV 89060

178 No. Avenue F
Ely, NV 89301

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

973 W. Williams Ave.
Fallon, NV 89406

7170 N. Decatur Blvd.
Las Vegas, NV 89131

4110 Donovan Way
N. Las Vegas, NV 89030

1137 S. Main St. #C-8
Tonopah, NV 89049

3505 Construction Way
Winnemucca, NV 89445

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

1352 Highway 395 Ste. 109
Gardnerville, NV. 89410

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

Pershing County Library
1125 Central Ave.
Lovelock, NV 89419

Lincoln County Library
93 Main St.
Pioche, NV 89043

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

Eureka Branch Library
10190 Monroe St.
Eureka, NV 89316

Mineral County Library
1125 Central Ave.
Hawthorne NV 89419

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

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

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Public Hearing for the
Adoption of Proposed New and Amended Regulations of the
Department of Motor Vehicles**

The Department of Motor Vehicles will hold a public hearing at the following location on the date and time specified:

PUBLIC HEARING
FRIDAY, NOVEMBER 21, 2008 10:00 a.m.

CARSON CITY

**NEVADA DEPARTMENT OF TRANSPORTATION
1263 S. STEWART ST., ROOM 302
CARSON CITY, NV. 89712**

Video conferencing will be provided to the following locations:

LAS VEGAS

**NEVADA DEPARTMENT OF TRANSPORTATION
123 E. WASHINGTON AVE., BLDG. B – TRAINING ROOM
LAS VEGAS, NV. 89101**

ELKO

**NEVADA DEPARTMENT OF TRANSPORTATION
1951 IDAHO ST.
ELKO, NV. 89801**

The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to chapters 360A, 365, and 366 of the Nevada Administrative Code.

Proposed Regulation of the Department of Motor Vehicles, LCB File No. R150-08

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

1. The need for and the purpose of the proposed regulation or amendment:

This is a regulation relating to the Department of Motor Vehicles, Motor Carrier Division, amending Chapters 360A, 365, and 366 of the Nevada Administrative Code

(NAC) to comply with Legislation passed during the 2007 Legislative Session. The amendments proposed in this regulation make various changes relating to the payment of certain taxes and fees imposed on motor vehicle fuel, aircraft fuel, and special fuels. The proposed amendments revise certain licensing procedures and establish administrative fines for late license renewal applications submitted to the Department by dealers, suppliers, exporters, and transporters. In addition, the proposed amendments also revise provisions when claiming certain tax refunds on exempt uses of various types of fuel.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved:

The Department is required by statute to amend regulations relating to the administration and the enforcement of the taxation of motor vehicle fuel, aircraft fuel and special fuels.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include: (a) Both adverse and beneficial effects (None) and (b) Both immediate and long-term effects (None). There is no estimated economic effect.

4. The estimated cost to the agency for enforcement of the proposed regulation:

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

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:

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

6. If the regulation is required pursuant to federal law, a citation and description of the federal law:

These regulations are not required pursuant to federal law.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:

The proposed amendment does not include provisions which are more stringent than a federal regulation.

8. Whether the proposed regulation establishes a new fee or increases an existing fee:

The proposed amendment does not establish a new fee or increase an existing fee.

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

Sean McDonald Management Analyst III
Department of Motor Vehicles
Research and Development Division
555 Wright Way, Carson City, NV 89711
(775) 684-4773

Written submission must be received by Department of Motor Vehicles on or before **Tuesday, November 25, 2008**. 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 and Repealed 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. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us/Register/>. 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: October 13, 2008

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