

Chapter 482 of NAC

LCB File No. T001-09

PROPOSED TEMPORARY 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 Chapters 482.036, 482.160, 482.162, 706.058, 706.071, and 706.141

Regulations relating to the Department of Motor Vehicles - Motor Carrier Division

Section 1. Chapter 482 of NAC is hereby amended by adding thereto the provisions set forth in section 2 of this regulation.

Sec. 2. NAC 482.440 is hereby amended to read as follows:

482.440 1. A person who applies to the Department *pursuant to the provisions of NRS 482.215* for the registration of a farm vehicle shall submit:

(a) Upon the appropriate form furnished by the Department an affidavit stating that:

(1) He is a farmer or rancher as defined in NAC 482.430; and

(2) His vehicle is a farm vehicle as defined in NRS 482.036.

(b) A Certificate of Weight issued by a certified Public Weighmaster.

2. Such an applicant shall also submit to the Department any additional proof deemed necessary by the Department to establish that he is a farmer or rancher.

3. If the registration of a farm vehicle is based upon a false or fraudulent affidavit or application for registration, the Department will, upon discovery of that fact, suspend the registration of the vehicle and require the return to the Department of the license plates issued for the vehicle.

4. An affidavit and certificate of weight will be required for a renewal of a farm vehicle registration when:

(a) A modification has been made to the farm vehicle; or

(b) A change to the combination of farm vehicles or vehicle configuration has occurred.

Sec. 3. NAC 706 is hereby amended by adding thereto the provisions set forth as sections 4 and 5 of this regulation.

Sec. 4. 1. *For the purposes of this chapter, “farmer” or “rancher” means a person who derived at least two-thirds of his gross income for the previous tax year from cultivating the soil or raising agricultural commodities, including such activities as:*

- (a) The operation of a stock, poultry, bee, fruit or truck farm;*
- (b) The operation of a dairy, plantation, ranch, nursery or orchard;*
- (c) The collection of a portion of share crops;*
- (d) The sale of draft, dairy, range or sporting livestock; or*
- (e) The sale of livestock for breeding.*

2. For the purposes of this section, “gross income” does not include wages received as a farm or ranch employee or passive income from a farm or ranch corporation.

Sec 5. 1. *A person who applies to the Department pursuant to the provisions of NRS 482.215 for the registration of a farm vehicle shall submit:*

(a) Upon the appropriate form furnished by the Department an affidavit stating that:

- (1) He is a farmer or rancher as defined in this chapter; and*
- (2) His vehicle is a farm vehicle as defined in NRS 706.071.*

(b) A certificate of Weight issued by a certified Public Weighmaster

2. Such an applicant shall also submit to the Department any additional proof deemed necessary by the Department to establish that he is a farmer or rancher.

3. If the registration of a farm vehicle is based upon a false or fraudulent affidavit or application for registration, the Department will, upon discovery of that fact, suspend the registration of the vehicle and require the return to the Department of the license plates issued for the vehicle.

4. An affidavit and certificate of weight will be required for a renewal of a farm vehicle registration when:

- (a) A modification has been made to the farm vehicle; or*
- (b) A change to the combination of farm vehicles or vehicle configuration has occurred.*