

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

LCB File No. R095-11

Effective February 15, 2012

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

AUTHORITY: §1, NRS 482.3667 and 482.3669.

A REGULATION relating to license plates; revising provisions governing the nomenclature used on personalized prestige license plates; and providing other matters properly relating thereto.

Section 1. NAC 482.320 is hereby amended to read as follows:

482.320 1. The letter “O,” the letter “I” and the letter “Q” must not be used alone but may be used with a combination of other letters and numbers if the combination does not create confusion between the letter “O” or “Q” and the number “0” or between the letter “I” and the number “1.”

2. Only letters, numbers and spaces may be used on personalized prestige license plates. Letters, numbers and spaces may be used in any combination not prohibited by NRS 482.3667 or this section.

3. A blank plate will not be issued.

4. No letter or number may be placed on a personalized prestige license plate upside down or backwards or in other than its normal legible position.

5. No more than seven characters may be on any one personalized prestige license plate.

6. No combination of letters, numbers or spaces is allowed if it:

(a) Creates confusion with any combination on other license plates.

(b) Expresses contempt, ridicule or superiority of:

- (1) Race;
- (2) Ethnic heritage;
- (3) Religion; *or*
- (4) Gender . ~~;~~ ~~or~~

~~—(5) Political affiliation.]~~

(c) Contains any connotation that is sexual, vulgar, derogatory, profane or obscene.

(d) Contains a direct or indirect reference to a:

- (1) Drug or drug paraphernalia; or
- (2) Gang.

(e) Makes a defamatory reference to a person or group.

~~[(f) Is determined by the Department to be inappropriate.]~~

7. The person who first applies for a particular letter or number or combination of letters, numbers or spaces and pays the prescribed fee for registration and for the personalized prestige license plates has priority to receive plates with that particular letter or number or combination of letters, numbers or spaces once the application has been accepted by the Department.

NOTICE OF ADOPTION OF REGULATION

The Nevada Department of Motor Vehicles adopted regulations assigned LCB File No. R095-11, which pertain to chapter number 482 of the Nevada Administrative Code, on December 30, 2011. A copy of the regulations as adopted is attached hereto.

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 LCB FILE NO. R095-11 December 30, 2011

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 482:

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

Copies of the proposed regulation, notices of workshop and notices of intent to act upon the regulations were sent out for posting by electronic mail to all DMV offices and county libraries where there is not a DMV office. They were also made available on the Department of Motor Vehicles website at www.dmvnv.com/publicmeetings.htm.

A Public Workshop was noticed on September 28, 2011, and held on October 14, 2011 at the Department of Transportation at 1263 South Stewart Street, Carson City, Nevada and video-conferenced to the Department of Transportation at 123 East Washington, Las Vegas, Nevada, and the Department of Transportation at 1951 Idaho , Elko, Nevada. No member of the general public or business industry attended the workshop and no testimony was submitted. No written comments were submitted.

A Notice of Intent to Act upon the Regulations was noticed on November 22, 2011, and a public hearing was held on December 22, 2011 at the Department of Motor Vehicles at 555 Wright Way, Carson City, Nevada and video-conferenced to the Department of Motor Vehicles at 8250 W. Flamingo Rd, Las Vegas, Nevada. No member of the general public or business industry attended the hearing and no testimony was submitted. No written comments were submitted.

A recording of the Public Workshop and Notice of Intent to Act upon the Regulations is on file at the Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711. Copies of these minutes may be obtained by written request to Attention Pete Olson, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

2. The number of persons who:

(a) Attended the workshop; 5

In attendance in Carson City – 3

Debbie Wilson, Department of Motor Vehicles (Workshop’s Hearing Officer)

Terri Carter, Department of Motor Vehicles

Pete Olson, Department of Motor Vehicles

In attendance in Las Vegas – 1

Kevin Malone, Department of Motor Vehicles

In attendance in Elko – 1

Bonnie Plumb, Department of Motor Vehicles

(b) Testified at the workshop; 0

(c) Submitted to the agency written statements; 0

(d) Attended the hearing; 6

In attendance in Carson City – 5

Debbie Wilson, Department of Motor Vehicles (Hearings Officer)

Bruce Breslow, Department of Motor Vehicles

Mark Froese, Department of Motor Vehicles

Terri Carter, Department of Motor Vehicles

Pete Olson, Department of Motor Vehicles

In attendance in Las Vegas – 1

Tracey Vannatton, Department of Motor Vehicles

(e) Testified at the hearing; 0

(f) Submitted to the agency written statements; 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 using electronic mail and postings as described in Question 1 for both the Workshop and the Hearing. No comments were submitted for either the Workshop or the Hearing.

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.

Since there were no public comments and no changes made during the review of the Legislative Council Bureau the regulation was adopted without changes.

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

The regulation amendments shall have no estimated adverse or beneficial economic effect on businesses or the public.

(b) Both immediate and long-term effects.

The regulation amendments shall have no immediate or long-term economic effect on businesses or the public.

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

There is no additional cost to the Department of Motor Vehicles for the enforcement of the adopted 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 federal government agency regulations that are duplicated or overlapped by the adopted regulation.

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

There are no federal regulations that regulate the same activity as addressed in the adopted regulation.

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.

There are no new fees or increases in existing fees associated with these regulation amendments

10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business? What methods did the agency use in determining the impact of the regulation on small business?

The Department of Motor Vehicles has determined that the adopted regulation does not impose a direct and significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small businesses.