

NOTICE OF INTENT TO ACT UPON A REGULATION

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

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

CARSON CITY

***Tuesday, March 13, 2012, 10 A.M.
Department of Motor Vehicles
Director's Conference Room
555 Wright Way
Carson City, Nevada 89711***

Video conferencing will be provided to

LAS VEGAS

***Tuesday, March 13, 2012, 10 A.M.
Department of Motor Vehicles
Conference Room
8250 W. Flamingo Road
Las Vegas, Nevada 89147***

The purpose of the hearing is to receive comments from all interested persons regarding the adoption of amendments that pertain to Chapter 485 of the Nevada Administrative Code. These regulations are being proposed pursuant to Senate Bill 323 which was passed in the 2011 Legislative Session. Items will be discussed in the order listed:

1. Designated registered owner responsible for maintaining a Certificate of Financial Responsibility (SR-22).
2. Five-Year record limitation for counting insurance lapse violations.
3. Request for hearing for suspension of vehicle registration or driver's license as a result of a lack or lapse of insurance.
4. Inclusion of insurance lapse days not in original request to registered owner.
5. Removing insurance companies' obsolete requirement regarding insurance records, to enhance the web services process.

[Proposed Regulations of the Department of Motor Vehicles, LCB File No R126-11](#)

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.

These regulations are necessary for the purpose of administering section 2 of Senate Bill 323 of the 2011 Legislature.

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 Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.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 must define the maximum timeframe between insurance lapses in order to determine if a registered owner is a first, second or third offender.
- At least one registered owner must declare the responsibility for maintaining a Certificate of Financial Responsibility when required due to a lack or lapse of insurance.
- The Department will provide guidance to a registered owner who wishes to request an administrative hearing in order to challenge an action against their vehicle registration or driving privilege.
- Existing regulations must be amended in order to best administer the NV LIVE program with regards to access to records, responsibilities and compliance of insurance companies.
- Section to be repealed regarding insurance companies' obsolete requirement regarding submission of insurance records in order to enhance the web services process.

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. There is no economic effect on business. There is no economic effect on the public.

and

(b) Both immediate and long-term effects. There is no economic effect on business. There is no economic effect on the public.

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

There is no cost to the Department in the enforcement of these 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 government 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 regulation does not establish any new fees or any increases in existing fees.

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:

Peter Olson
Department of Motor Vehicles
Research and Development Division
555 Wright Way, Carson City, NV 89711
775.684.4960

Written submission must be received by Department of Motor Vehicles on or before **Monday March 19, 2012**. 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 adopted 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 adopted 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: February 10, 2012

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:

DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICES

Carson City DMV
555 Wright Way
Carson City, NV 89711

Las Vegas DMV (West Flamingo)
8250 West Flamingo
Las Vegas, NV 89147

Elko DMV
3920 East Idaho Street
Elko, NV 89801

Reno DMV (Galletti Office)
305 Galletti Way
Reno, NV 89512

Ely DMV
178 Avenue F (PO Box 150088)
Ely, NV 89301 (Ely, NV 89315)

Henderson DMV
1399 American Pacific Drive
Henderson, NV 89704

Fallon DMV
973 West Williams Street
Fallon, NV 89406

Las Vegas DMV (Sahara Office)
2701 East Sahara
Las Vegas, NV 89104

Donovan DMV
4110 Donovan Way
N. Las Vegas, NV 89030

Hawthorne DMV
1085 Highway 95 (PO Box 2093)
Hawthorne, NV 89415

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

Laughlin DMV (PO Box 32908)
3030 South Needles Hwy Suite 900
Laughlin, NV 89028

Yerington DMV
215 West Bridge Street #9
Yerington, NV 89447

Pahrump DMV
1780 E. Basin Avenue, Suite #1
Pahrump, NV 89060

Winnemucca DMV
3505 Construction Way
Winnemucca, NV 89445

Decatur DMV
7170 N. Decatur Blvd.
Las Vegas, NV 89131

Mesquite DMV
550 West Pioneer Blvd., Suite 120
Mesquite, NV 89027

LIBRARIES

Goldfield Public Library
Fourth & Crook Street
PO Box 430
Goldfield, Nevada 89013

Lincoln County Library
93 Main Street
PO Box 330
Pioche, Nevada 89043

Eureka Branch Library
10190 Monroe Street
PO Box 293
Eureka, Nevada 89316

Battle Mountain Branch
625 South Broad Street
PO Box 141
Battle Mountain, Nevada 89820

Douglas County Library
1625 Library Lane
PO Box 337
Minden, NV 89423

Pershing County Library
1125 Central Avenue
PO Box 781
Lovelock, Nevada 89419

Storey County Library
95 South R Street
PO Box 14
Virginia City, Nevada 89440

Nevada State Library
100 North Stewart Street
Carson City, Nevada 89701

Mineral County Library
110 1st Street
Hawthorne, NV 89415