

INFORMATIONAL STATEMENT OF ADOPTED REGULATIONS  
AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066  
LCB FILE NO. R136-17  
July 2, 2018

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

**1. A clear and concise explanation of the need for the adopted regulation**

This regulation provides for the implementation of Assembly Bill (AB) 69 that was passed during the 2017 Legislative Session. This bill made significant changes to the State's autonomous vehicle program and the requirements to accommodate the testing and operation of autonomous vehicles in Nevada. These statutory changes required revisions to NAC 482A to align with statute. These changes specifically relate to:

- Expanding the requirements for licensing an autonomous vehicle certification facility
- Minimizing the requirements for issuance of a testing certificate which allows for the testing of autonomous vehicles
- Minimizing the requirements necessary to operate an autonomous vehicle outside of testing environments.

**2. A description of how public comment was solicited, a summary of the public response, and an explanation of 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 no DMV office. They were also made available on the Department of Motor Vehicles website at [www.dmvnv.com/publicmeetings.htm](http://www.dmvnv.com/publicmeetings.htm).

A Public Workshop was noticed on March 28, 2018, and held on April 24, 2018, at the Nevada State Legislative Building in Carson City and video-conferenced to the Grant Sawyer Building in Las Vegas and Great Basin College in Elko. At the time of the workshop, the regulation was assigned number R136-17. There were 16 members of the general public who attended the workshop, four of which spoke publicly regarding the regulations. The comments were requesting minor revisions to the proposed regulations but were overall in support of the regulations as they were proposed.

Following the workshop and based on public comment, minimal changes were made to LCB File Number R136-17.

A Notice of Intent to Act upon the Regulations (public hearing) was noticed on May 18, 2018, and a public hearing was held on June 28, 2018. The hearing was held at the Nevada State Legislative Building in Carson City and video-conferenced to the Grant Sawyer Building in Las Vegas and Great Basin College in Elko. There were two members of the general public that attended the hearing, none of which testified.

Following the public hearing, there were no changes made to LCB File Number R136-17.

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: Thomas Martin, Department of Motor Vehicles, Management Services and Programs Division, 555 Wright Way, Carson City, Nevada 89711.

**3. The number of persons who:**

**a. Attended the workshop held on 4/24/2018: 23**

**In attendance in Carson City – 17**

Wayne Bahmiller, Department of Motor Vehicles (Officer)  
Thomas Martin, Department of Motor Vehicles  
April Sanborn, Department of Motor Vehicles  
Jude Hurin, Department of Motor Vehicles  
Colin Brett McNeill, APTIV  
Eric Salwasser, APTIV  
Patty Robbins, Uber  
Matt Griffin. G3/Uber  
Alex Samuelson, G3/Uber  
David Strickland, Self-Driving Coalition for Safer Streets  
Timothy Burr, Lyft  
Michael Hillerby, Kaempfer Crowell  
George Ivanov, Waymo  
Judi Stephens, BHFS  
Lea Cartwright, PCIA  
Cory Hunt, Governor's Office of Economic Development  
Andy McKay, Nevada Franchised Auto Dealers Association

**In attendance in Las Vegas – 5**

Kevin Malone, Department of Motor Vehicles  
Matt Walker, Waymo  
Aleta Dupree, Self

David Newton, Nevada Transportation Authority  
David Clyde, Regional Transportation Commission

**In attendance in Elko – 1**

Kathryn Palangi, Department of Motor Vehicles

**Testified at the workshop – 4**

**Submitted written statements to the agency prior to workshop – 5**

**b. Attended the hearing held on 6/28/2018: 8**

**In attendance in Carson City – 5**

Amber Galperin, Department of Motor Vehicles (Officer)  
Thomas Martin, Department of Motor Vehicles  
April Sanborn, Department of Motor Vehicles  
Jude Hurin, Department of Motor Vehicles  
Alex Samuelson, Griffin Company

**In attendance in Las Vegas – 2**

Kevin Malone, Department of Motor Vehicles  
Bryan O’Callaghan, Las Vegas Metropolitan Police Department

**In attendance in Elko – 1**

Kathryn Palangi – Department of Motor Vehicles

**Testified at the hearing - 0**

**Submitted to the agency written statements – 1**

**4. For each person identified in paragraph 3, subparagraphs (a) and (b)**

David Strickland: Self-Driving Coalition for Safer Streets; 202-344-4747; 600 Massachusetts Ave., Washington, DC 20001; dstrickland@venable.com

David Strickland testified in person during the workshop and was in support of the proposed regulations, as well as, thanked the Department for its efforts to support the autonomous vehicle industry. Mr. Strickland did suggest revisions to Section 4 to retain the “Operator” definition that was proposed to be repealed. Mr. Strickland also proposed changes to Section 8 to clarify the requirement of how a testing certificate will be presented to

law enforcement if the vehicle is a level 4 or 5 autonomous vehicle and there is no operator present in the vehicle.

Patty Robbins; Uber; 415-851-4293; Washington, DC; patty.robbins@uber.com

Patty Robbins testified in person during the workshop to go on record to thank the Department for its work on these proposed regulations. Ms. Robbins also provided written comment and offered to answer any questions the Department may have had regarding the comments. There were no questions regarding the written comments.

George Ivanov; Waymo; 1600 Amphitheatre Parkway, Mountain View, CA 94043; georgeivanov@waymo.com

George Ivanov testified in person during the workshop to go on record to thank the Department for its work to help the evolution of autonomous technology. Mr. Ivanov also echoed the comments provided by David Strickland regarding the operator definition, as well as, the testing certificate requirements for a Level 4 or 5 autonomous vehicle. Mr. Ivanov also submitted written testimony to support Waymo's in-person testimony.

Aleta Dupree; Self Representing as a Las Vegas resident;

Aleta Dupree testified in person during the workshop to state that he is a service-related disabled veteran who fully intends on using autonomous vehicles as a form of mobility. Aleta Dupree also thanked the Department for its willingness to work with industry to expedite the growth of this technology.

Al Prescott; Tesla, Inc.; 240-994-5639; 3500 Deer Creek Road, Palo Alto, CA 94304, aprescott@tesla.com

Al Prescott provided written testimony prior to the workshop to address Tesla's concern regarding the affidavit required in Section 7 of the proposed regulations.

Colin Brett McNeill; APTIV, PLC; 765-432-6830; 730 E. Pilot Rd., Las Vegas, NV 89119; c.brett.mcneill@aptiv.com

Brett McNeill provided written comments prior to the workshop to request minor clarifications regarding Sections 2, 5 and 8.

Paul Hemmersbaugh; General Motors; 202-775-5021; 25 Massachusetts Avenue, N.W. Suite 400, Washington, DC 20001

Paul Hemmersbaugh submitted written comments prior to the workshop to thank the Department for its efforts in support of the deployment of autonomous vehicles in Nevada. Mr. Hemmersbaugh also identified the need for minor clarification in Sections 4 and 7.

Joe Verrengia; Arrow Electronics; 9201 E. Dry Creek Road, Centennial, CO 80112; jverrengia@arrow.com

Joe Verrengia submitted written comments prior to the public hearing. Mr. Verrengia expressed major concerns with the proposed regulatory changes which removed Arrow's ability to develop the semi-autonomous technology they have been working on since 2015. Mr. Verrengia stated that he understands this is not the Department's fault as this authority was removed due to Assembly Bill 69 from the 2017 Legislative Session.

**5. 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 (b) for both the Workshop and the Hearing. They were also made available on the Department of Motor Vehicle's website at [www.dmvnv.com/publicmeetings.htm](http://www.dmvnv.com/publicmeetings.htm)

The Department also sent the proposed regulations to a list of organizations it believed may be impacted by the proposed regulation changes. Prior to the workshop held on April 24, 2018, the Department received five written letters in response to this solicitation for comment. Prior to the hearing held on June 28, 2018, the Department receive one written letter in response to the second attempt to solicit comments regarding the revised proposed regulations. Please reference the attached organization list to see recipients of the Department's communication.

The written responses received were to express concerns regarding the proposed removal of the definition "Operator" as well as asking for clarification regarding the presentation of a testing certificate if there is no operator in a Level 4 or 5 autonomous vehicle.

A total of 17 members representing the autonomous vehicle industry attended the workshop and hearings for the proposed regulations. Four people testified. David Strickland (Self-Driving Coalition for safer Streets), Patty Robbins (Uber), George Ivanov (Waymo) and Aleta Dupree (Self) all testified in support of the Department's efforts in supporting the development of autonomous technology on Nevada roads. All written and in-person testimony provided was in support of the proposed regulation changes with minor clarifications requested for certain sections.

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**6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The regulation is being adopted after revisions to the proposed version.

**7. 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:**

**Business:**

**a. Both adverse and beneficial effects; and**

Adverse: The Department does not foresee any adverse economic impact on businesses.

Beneficial: The Department does not foresee any economic benefit to businesses.

**b. Both immediate and long-term effects.**

Same as above.

**Public:**

**a. Both adverse and beneficial effects; and**

Adverse: The Department does not foresee any adverse economic impact on the public.

Beneficial: The Department does not foresee any economic benefit to the public.

**b. Both immediate and long-term effects.**

Same as above.

**8. 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 regulations.

**9. 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 regulations.

**10. 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 regulations.

**11. 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.**

The regulation does not provide any new fees for the proposed regulation changes.