

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE NO. R039-22**

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

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

During the 2021 Legislative Session, the Legislature passed Senate Bill 329, which established provisions governing the licensing and operation of peer-to-peer (P2P) car sharing programs. It authorized the creation of a new section of NAC (Chapter 482C) and empowered the Department (NRS 482C.250) to adopt regulations for carrying out the provisions of the chapter. Per the bill, the Department classifies certain vehicles and transportation devices that are remotely controlled or otherwise electronically controlled but do not fall within the definition of autonomous vehicle under existing law as alternative electronic transportation system vehicles and defines alternative electronic transportation system vehicles. It also authorizes the Department to impose an administrative fine for violations of laws and regulations relating to alternative electronic transportation system vehicles.

The Department, over the past two and a half years during the bill passage phase and continuing through the regulations development phase, has communicated with industry representatives, associations and businesses regarding the elements to be included in the proposed regulations and they have been in accordance with the purposes and structure of the language.

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.

Comments were solicited using electronic mail and postings for both the workshops and the hearings; space on the agenda for both events was set aside for public comment. There was no general public response to provisions discussed in the workshop and the hearing. Notifications were also sent out by electronic mail to industry contacts that the Department keeps on record. They were also made available on the Department of Motor Vehicles website at www.dmvnv.com/publicmeetings.htm. Persons who would like a copy of the proceedings and comments for this process may contact the Research and Project Management Division of the Department of Motor Vehicles, 555 Wright Way, Carson City, NV 89711; email mhefner@dmv.nv.gov.

3. **The number of persons who:**
(a) **Attended each hearing (remote meetings held via Webex and GoToMeeting for workshop, NDOT Conf. Rm. In Carson City for hearing):**

1. **Workshop - ___11___**

2. **Hearing ___8___**

(b) **Testified at the hearing- 2**

(c) **Submitted to the agency written statements- 2**

4. **A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity of organization represented, for each person identified above in #3, as provided to the agency, is attached as Exhibit A.**

See attached Exhibit A

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.**

Comment from interested participants was obtained through the workshops and hearings held on the topic, and during notification periods when the public meetings were posted. The majority of interaction for these regulations was between the Department and the affected industry; several telephone and remote technology discussions between stakeholders and the Department were held subsequent to the workshop regarding potential language for the regulations; generally the industry stakeholders were supportive of the regulatory development, the comments and concerns primarily centered around equalizing the scope of the regulatory provisions and ensuring they were in line with the intent of the statutory language. Several suggestions for changes were offered, and after evaluation by staff, were incorporated into the final draft. Persons who would like a copy of the proceedings and comments for this process may contact:

Department of Motor Vehicles
Attn: Research and Project Management Division
555 Wright Way
Carson City, NV 89711
Southern NV- (702) 486-4368
Northern NV- (775) 684-4368
Email: mhefner@dmv.nv.gov

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 Department solicited public comment on the proposed regulation language at both the workshop and hearing, draft language developed by the Department was presented prior to and at the first hearing, but after receiving feedback and suggestions for changes from industry stakeholders, the draft was revised incorporating the feedback and edits of stakeholders, and language adopted by the Department at a second hearing.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

(a) Business:

i. Both adverse and beneficial effects; and

ii. Both immediate and long-term effects.

These regulations are anticipated to have an overall beneficial impact to the business community. The Department will be exercising its required duty to regulate and oversee the motor vehicle industry, and the adoption of these regulations will also further assist the Department with encouraging innovative and new technologies to operate and expand within the state. There are no perceived adverse impacts to the development and deployment of these regulations.

(1) Immediate and long-term effects.

Immediate: will work to provide that these companies that produce these products that fall under this designation will be able to continue their development in sales and operations of these vehicles in a responsible manner and increase testing and gathering of critical data on road functionality. is an established criteria for testing and operating these types of vehicles in a responsible manner that also protects the public.

Long-term: Will help to establish another successful business segment in Nevada and provide innovative products and further jobs and opportunities in the technology and transportation sectors.

- (b) Public:**
- i. Both adverse and beneficial effects; and**
 - ii. Both immediate and long-term effects.**

No adverse impact to the general public is estimated; Nevada overall will benefit from being a state that encourages innovative new technologies, and adoption of these regulations will enable the Department to promulgate safe development and usage of these vehicles and services.

(1) Both immediate and long-term effects.

Anticipated immediate and long-term effect to the general public will be in the area of ensuring that these types of vehicles will be operated in a safe manner on the roads and highways of Nevada, and also provide an economic benefit to Nevadans employed in this new technology industry segment and advance the expansion of these vehicle services.

- 8. The estimated cost to the agency for enforcement of the adopted regulation.**
The Department incurs a standard amount of costs (\$342.00) for the general development of regulations. There is no anticipated additional cost to the Department 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.**
- N/A
- 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.**

No additional fees or revenue are expected to be received due to adoption of these regulations, this is just another business activity that is currently overseen by the Department as a part of its requirement to regulate actors and actions in the motor vehicle industry segment.

EXHIBIT A

Attendees at Public Workshops/Hearings for R039-22

| Name | Organization | Address | Phone Number | Email | Testified? (Y/N) |
|----------------|--|---|--------------|--|------------------|
| Lea Case | Belz/Case Government Affairs (for APCIA) | 10580 N. McCarran Blvd., Ste. 115-222, Reno, NV 89503 | N/A | lc@belzcase.com | N |
| Mike Alonso | Alonso Law | 6160 Plumas St., #200, Reno, NV 89519 | 775-683-9407 | michael@alonsolawltd.com | N |
| Kyle Davis | N/A | N/A | N/A | N/A | N |
| Jennifer Atlas | Griffin Company | 401 S. Curry St., Carson City, NV | 775-882-4002 | jennifer@g3nv.com | N |
| Ethan Wilson | Catalyst (for Turo) | Incline Village, NV | 530-908-3859 | ethan@csga.com | Y |
| Andrew Byrnes | Getaround | San Francisco, CA | 415-295-5725 | andrew.byrnes@getaround.com | Y |
| Soledad Roybal | Getaround | San Francisco, CA | 415-295-5725 | www.getaround.com | N |
| Neal Tomlinson | BHFS (for Getaround) | 100 N. City Parkway, Ste. 1600, LV, NV 89106 | 702-327-6859 | ntomlinson@bhfs.com | N |
| John Shumway | McCarran Airport, NV Dept. of Aviation | 5757 Wayne Newton Blvd., LV NV 89119 | 702-261-5211 | johns@mccarran.com | N |
| Chris Anderson | McCarran Airport | 5757 Wayne Newton | 702-261-5211 | chrisa@mccarran.com | N |

| | | | | | |
|-----------------|--|---|--------------|--|---|
| | | Blvd., LV NV 89119 | | | |
| Freddie Kirtley | McCarran Airport | 5757 Wayne Newton Blvd., LV NV 89119 | 702-261-5211 | freddiek@mccarran.com | N |
| April Russ | Reno/Tahoe Airport | 2001 E. Plumb Lane, Reno, NV 89502 | 775-328-6400 | aruss@renoairport.com | N |
| Amanda Brazeau | Rowe Law (for Tesla) | 7435 S. Eastern Ave., LV NV 89123 | 702-884-5014 | amanda@rowelawnv.com | N |
| Valerie Balen | Belz/Case Government Affairs (for APCIA) | 10580 N. McCarran Blvd., Ste. 115-222, Reno, NV 89503 | N/A | vb@belzcase.com | N |
| Mike Howell | Clark Co. Business Licensing | 500 S. Grand Central Pkwy., LV NV 89155 | 702-455-4252 | mbh@clarkcounty.nv.gov | N |
| Emily Walsh | N/A | N/A | N/A | N/A | N |
| Joanna Jacob | Clark County | 500 S. Grand Central Pkwy., LV NV 89155 | 702-455-3530 | joanna@clarkcounty.nv.gov | N |