

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE NO. R081-22**

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

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

During the 2019 Legislative Session, the Legislature passed Assembly Bill 23, which dealt with certain types of electronically controlled vehicles. It authorized the Department to create a new section of NAC (Chapter 482B) to oversee the operation and testing of these vehicles and devices. 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, which was stalled temporarily by the COVID-19 office closures, re-openings and staff shortages, has worked to get back on track with the regulations language development and 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 Workshop and the Hearing, and during the public meetings themselves. No suggestions for change were offered at either workshop or hearing, and no requested changes were submitted to the Department during the process. 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, no physical location was held for these):

1. Workshop - 5

2. Hearing 3

(b) Testified at the hearing- 0

(c) Submitted to the agency written statements- 0

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. Other persons wishing to obtain a summary of the regulations adoption proceedings 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 proposed regulations represent a new chapter in the NAC and is also the first attempt to regulating this new industry of remotely piloted vehicles and their active operation and use on Nevada roads. The proposed language is intended to be a base and framework for effectively overseeing the safe operation of these types of vehicles on the road. Industry stakeholders were communicated with and had a

chance to review the language that was proposed, and all participants have found it to be sufficient as a starting point for regulating these new types of vehicles. As experience is gained from the continued operation of the vehicles in all situations, further regulations may be proposed, or language amended to address particular concerns as they may arise.

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.

The main purpose of this addition to the regulations is to give oversight capability to the Department to effectively review and govern the testing and usage of alternative electric technology vehicles on the roads and highways of Nevada in a safe and responsible manner and promote the usage and expansion of this new technology. No adverse impacts are anticipated from the adoption of the proposed language.

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 through adoption of these regulations. 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 sales of these vehicles.

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, aside from the increase in the fee itself to cover the costs for plate production.

- 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.**

N/A

NRS 233B.066 Informational statement required concerning adopted permanent or temporary regulation; contents of statement.

1. Except as otherwise provided in subsection 2, each adopted regulation which is submitted to the Legislative Counsel pursuant to [NRS 233B.067](#) or filed with the Secretary of State pursuant to subsection 2 or 3 of [NRS 233B.070](#) must be accompanied by a statement concerning the regulation which contains the following information:

- (a) A clear and concise explanation of the need for the adopted regulation.
- (b) 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.
- (c) The number of persons who:
 - (1) Attended each hearing;
 - (2) Testified at each hearing; and
 - (3) Submitted to the agency written statements.
- (d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing:
 - (1) Name;
 - (2) Telephone number;
 - (3) Business address;
 - (4) Business telephone number;
 - (5) Electronic mail address; and
 - (6) Name of entity or organization represented.
- (e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.
- (f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.
- (g) 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:
 - (1) Both adverse and beneficial effects; and
 - (2) Both immediate and long-term effects.
- (h) The estimated cost to the agency for enforcement of the proposed regulation.
- (i) A description of any regulations of other state or government agencies which 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.
- (j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.
- (k) 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.

2. **The requirements of paragraphs (b) to (f), inclusive, of subsection 1 do not apply to emergency regulations.**
(Added to NRS by [1981, 186](#); A [1987, 1581](#); [1989, 572](#); [1995, 131, 2580](#); [2003, 2006](#); [2011, 379](#); [2013, 78](#))