

Small Business Impact Statement

EFFECTIVE DATE OF REGULATION:
Upon filing with the Nevada Secretary of State

1. Background:

NDOT has adopted the removal of existing regulation NAC 408.796(2) from the Nevada Administrative Code, Chapter 408. This regulation currently allows NDOT to charge a marketvalue fee for business signs when six or more businesses apply for signage in a particular area. This rule was originally put in place to manage high demand for signage in a fair and structured way. However, NDOT's existing sign management process has proven effective without the need to impose additional fees. The removal will revert to the previous rule (NAC 408.796(1)), which prioritizes signage based on a business's proximity to the requested sign location.

2. Description of Solicitation:

NDOT initiated a thorough public outreach effort to gather feedback on the proposed change. Notices about the regulation removal were posted at NDOT locations, on NDOT's website, on the state's notice website, and with the NV LCB, exceeding the required 30-day posting period. Additionally, a public workshop was held on June 13, allowing stakeholders to provide input both in person and online. A public hearing was held during the Nevada Transportation Board meeting on September 9, 2024, where public comment was invited. The feedback gathered during this hearing, as well as other submitted comments, were considered before the final decision was made.

3. Does the proposed regulation impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? (NRS 233B.0608(1))

The removal of NAC 408.796(2) does not impose a direct or significant economic burden on small businesses. The change is expected to reduce potential costs by eliminating the possibility of market-based fees for signage when six or more businesses apply. The existing regulation, which prioritizes proximity without additional fees, has been effective in managing sign demand, ensuring businesses are treated fairly and equitably. The removal of this regulation will streamline the process without adding financial burdens to Nevada's small businesses.

4. How was that conclusion reached?

Determinations were reached through discussions with stakeholders, including a representative of the Nevada Contractor's Association who attended the public workshop, as well as through an examination of previous records relating to the signage program.

I, Tracy Larkin Thomason, certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business, and that the information contained in the statement above is accurate. (NRS 233B.0608(3))

Dated: 10/21/2024

DocuSigned by:
Tracy Larkin Thomason
Signature: 832931E930B041F...

Name: Tracy Larkin Thomason

Title: Director

Agency: Nevada Department of Transportation