**NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption of Regulations of the**

**Nevada Commission on Off-Highway Vehicles**

The Nevada Commission on Off-Highway Vehicles (“NCOHV”) will hold a public hearing at 9:00 a.m., on June 15, 2015 at the Nevada Public Utilities Commission, 1150 East Williams St., Hearing Room B, Carson City, NV 89701 and will be linked by video-conference to the Public Utilities Commission, 9075 West Diablo Drive, Hearing room B, Las Vegas, NV 89148. There is also a phone-in-telephone number, 712-432-1212, with a meeting ID, 957-738-378. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 490 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

This regulation is needed because NRS 490.068 directs the NCOHV to adopt regulations setting forth: (1) who may apply for a grant of money from the Account for Off-Highway Vehicles; (2) procedures for awarding grants of money from the Account; (3) the manner in which applications for grants are to be submitted to the Commission; (4) that an applicant for such grant of money must provide information satisfactory to the Commission that the applicant has consulted with the requisite state, local, and federal governmental entities; and (5) the acceptable performance of work on a project for which a grant is awarded. This proposed regulation carries out the statutory directive by creating a system for awarding grants and monitoring grantees in accordance with the requirements of NRS 490.068 and 490.069.

**Sections 2-14** of this regulation provide definitions that are applicable to the awarding of grants of money from the Account for Off-Highway Vehicles. **Sections 15-19** of this regulation set forth the provisions with which a person must comply to qualify to apply to the Commission for a grant of money from the Account. **Section 21-23** of this regulation specifies the information that must be included within, and must accompany, an application requesting a grant of money from the Account.

**Section 20** of this regulation provides for the Commission to appoint a Grant Scoring Committee to score the grant applications that are submitted. **Section 20 and 25** of this regulation specify what must be contained in a request for grant applications that is issued by the Commission.

**Section 25-34** of this regulation set forth the manner in which applications for grants of money from the Account will be requested, publicized, and evaluated and approved or rejected.

**Section 35-41**of this regulation establish the manner in which the Commission will monitor and evaluate projects that are paid for, in whole or in part, by grant money that is distributed from the Account.

Pursuant to existing statute, Nevada off -highway vehicle owners pay an annual $20.00 sticker fee for an off-highway vehicle. Following the adoption of the proposed regulation, revenue from the sticker sales will be used for off-highway projects, including trail maintenance and construction; better signage, off-road facilities, and safety programs; an improved public education/outreach effort; and additional law enforcement efforts. Nevada off-highway-vehicle-funded improvements, coupled with better partnerships with the Bureau of Land Management, the United States Forest Service, Nevada State Parks, and all levels of government, will help ensure better off-road access and improvement projects for off-highway vehicle owners. Business owners are not assessed any fees and will not experience any adverse effects from the proposed regulation. Off-highway vehicle registration revenue and the corresponding off-road improvements will positively affect off-highway vehicle dealerships.

This regulation will allow the NCOHV to issue grant funds currently held in the Account for Off-Highway Vehicles to be utilized for off-highway vehicle projects. The long-term effect will be to increase compliance in obtaining and maintaining off-highway vehicle registrations that lead to more projects benefitting off-highway vehicle communities and to economically develop a major industry in Nevada.

Pursuant to NRS 490.069, five percent of the money in the Account for Off-Highway Vehicles is capped and reserved for the administrative costs of the Account including those costs associated with administering the grant fund awards. This money will be used to enforce the statute and corresponding proposed regulation.

There are no other federal, state, or local governmental regulations that overlap with the proposed regulation, and the proposed regulation is not required pursuant to any federal law.

The proposed regulation does not establish a new fee or increase and existing fee.

Persons wishing to comment upon the proposed action of the NCOHV may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the NCOHV, 6015 South Virginia St., Suite E, Box 163, Reno, NV 89502. Written submissions must be received by the NCOHV on or before 5p.m. June 14, 2015. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the NCOHV 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 the regulation to be adopted will be available at NCOHV, 6015 South Virginia St., Suite E, Box 163, Reno, NV 89502, and on the NCOHV’s website [www.nvohv.com](http://www.nvohv.com), and in all counties in which an office of the agency is not maintained, at the main public library, 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://www.leg.state.nv.us>. 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.

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| **This notice of hearing has been posted at the following locations:** |
| Office of the Director, 555 Wright Way, Carson City, Nevada 89711  DMV, 2701 E. Sahara Avenue, Las Vegas, Nevada 89104 | |
| DMV, 3920 E. Idaho Street, Elko, Nevada 89801  DMV, 8250 W. Flamingo Rd., Las Vegas, Nevada 89147  DMV, 178 N. Avenue F, Ely, Nevada 89301 | |
| DMV, 973 W. Williams St., Fallon, Nevada 89406  DMV, 550 W. Pioneer Blvd. Ste #120, Mesquite, Nevada 89027  DMV, 1780 E. Basin Road, Pahrump, Nevada 89060  DMV, 305 Galletti Way, Reno, Nevada 89512  Clark County Government Center, 500 S. Grand Central Pkwy, Las Vegas, Nevada 89155 | |
| Paradise Community Center, 4775 S. McLeod, Las Vegas, Nevada 89121 | |
| Clark County District Court, 200 Lewis Avenue, Las Vegas, Nevada 89155  Searchlight Community Center, 200 Michael Wendall Way, Searchlight, Nevada 89046  Nevada State Library and Archives, 100 North Stewart St., Carson City, Nevada 89701  Laughlin Community Center, 1975 Arie Avenue, Laughlin, Nevada 89029  Battle Mountain Branch Library(Lander County) 625 South Broad Street ,Battle Mountain, NV89820  Carson City Library,900 North Roop Street, Carson City, NV 89701-3101  Churchill County Library,553 South Main Street, Fallon, NV 89406-3306  Douglas County Public Library, 1625 Library Lane, Minden, NV 89423-0337  Elko County Library,720 Court Street, Elko, NV 89801-3397  Esmeralda County Library, Corner of Crook and 4th Street.,P.O. Box 430,Goldfield, NV 89013-0430  Eureka County Library, 10190 Monroe Street, Eureka, NV 89316  Humboldt County Library,85 East 5th Street, Winnemucca, NV 89445-3095  Las Vegas Library, 833 Las Vegas Blvd. North, Las Vegas, Nevada 89101-2062  Lincoln County Library,63 Main Street, Pioche, NV 89403  Lyon County Library System,20 Nevin Way, Yerington, NV 89447-2399  Mineral County Public Library, P.O. Box 1390.Hawthorne, NV 89415  Pershing County Library,1125 Central Avenue, Lovelock, NV 89419  Storey County Public Library, C/O Storey County Treasurer and Clerk’s Office, Drawer D, Virginia City, NV 89440  Tonopah County Library(Nye County), P.O. Box 449, Tonopah, NV 89049  Washoe County Library System, 301 South Center Street, Reno, NV 89501-2102  White Pine County Library,950 Campton Street, Ely, NV 89301  Nevada Department of Wildlife, Western Region, 1100 Valley Rd., Reno, Nevada 89512  Nevada Department of Wildlife, Southern Region, 4747 Vegas Dr., Las Vegas, Nevada 89108 | |

Department of Business and Industry, 788 Fairview Drive #100, Carson City, NV 89701 Legislative Building, 401 South Carson St., Carson City, NV 89710 The Bradley Building, 2501 East Sahara Ave., Las Vegas, NV 89104 Grant Sawyer Building, 555 E. Washington Blvd. Suite 4900, Las Vegas, NV 89101 Nevada Department of Cultural Affairs, 100 Stewart St. ,Carson City, NV 89701

**NOTICE OF THIS MEETING WAS POSTED ON THE INTERNET AT:**

Nevada Commission on Off Highway Vehicles http://nvohv.com/

Nevada Public Notice https://notice.nv.gov

The Nevada Legislative Counsel Bureau

The Nevada Archives

The Nevada Library

Nevada Public Notice @notice.nv.gov

Nevada Secretary of State

Office of Business Finance and Planning [www.dbi.state.nv.us/bfp/](http://www.dbi.state.nv.us/bfp/)

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_