

ASSEMBLY BILL NO. 143—ASSEMBLYMEN CARRILLO, ELLIOT ANDERSON; BUSTAMANTE ADAMS, DIAZ, JOINER, NEAL, OHRENSCHALL, STEWART AND WHEELER

FEBRUARY 11, 2015

Referred to Committee on Transportation

SUMMARY—Authorizes electronic verification of motor vehicle insurance. (BDR 43-28)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; authorizing an insurer who provides a contract of insurance for the operation of a motor vehicle to provide, upon the request of the insured and to the extent available, evidence of that insurance in an electronic format that can be displayed on a mobile electronic device; prohibiting a peace officer to whom such a device is presented for the purpose of showing evidence of insurance from intentionally viewing any other content on the device; providing that the person presenting such a device for the purpose of showing evidence of insurance assumes all liability for any damage to the device; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, an insurer who provides a contract of insurance for the
2 operation of a motor vehicle must provide evidence of insurance to the insured on a
3 form approved by the Commissioner of Insurance. (NRS 690B.023) **Section 4** of
4 this bill authorizes such an insurer to provide, upon the request of the insured and to
5 the extent available, evidence of insurance in an electronic format that can be
6 displayed on a mobile electronic device. The insured may also request that the
7 insurer provide the insured with the evidence of insurance form. **Section 4** also
8 provides that a person who presents a mobile electronic device to another person to
9 provide evidence of insurance assumes all liability for any resulting damage to the
10 mobile electronic device.



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11 Existing law requires that a person applying for registration of a fleet of
12 vehicles provide the Department of Motor Vehicles with evidence of insurance for
13 those vehicles. (NRS 482.215) **Section 1** of this bill newly provides that the
14 evidence of insurance may be provided in an electronic format.

15 Existing law requires a peace officer who stops a vehicle for violating certain
16 traffic laws to demand proof of insurance. (NRS 484A.650) **Section 2** of this bill
17 newly provides that, if the evidence of insurance provided to the peace officer by
18 the driver of the vehicle is in an electronic format displayed on a mobile electronic
19 device, the peace officer shall not intentionally view any other content on the
20 mobile electronic device. A violation of this prohibition would be punished as a
21 misdemeanor under existing law. (NRS 484A.900)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 482.215 is hereby amended to read as follows:
2 482.215 1. All applications for registration, except
3 applications for renewal of registration, must be made as provided in
4 this section.

5 2. Except as otherwise provided in NRS 482.294, applications
6 for all registrations, except renewals of registration, must be made in
7 person, if practicable, to any office or agent of the Department or to
8 a registered dealer.

9 3. Each application must be made upon the appropriate form
10 furnished by the Department and contain:

11 (a) The signature of the owner, except as otherwise provided in
12 subsection 2 of NRS 482.294, if applicable.

13 (b) The owner's residential address.

14 (c) The owner's declaration of the county where he or she
15 intends the vehicle to be based, unless the vehicle is deemed to have
16 no base. The Department shall use this declaration to determine the
17 county to which the governmental services tax is to be paid.

18 (d) A brief description of the vehicle to be registered, including
19 the name of the maker, the engine, identification or serial number,
20 whether new or used, and the last license number, if known, and the
21 state in which it was issued, and upon the registration of a new
22 vehicle, the date of sale by the manufacturer or franchised and
23 licensed dealer in this State for the make to be registered to the
24 person first purchasing or operating the vehicle.

25 (e) Except as otherwise provided in this paragraph, if the
26 applicant is not an owner of a fleet of vehicles or a person described
27 in subsection 5:

28 (1) Proof satisfactory to the Department or registered dealer
29 that the applicant carries insurance on the vehicle provided by an
30 insurance company licensed by the Division of Insurance of the



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1 Department of Business and Industry and approved to do business in
2 this State as required by NRS 485.185; and

3 (2) A declaration signed by the applicant that he or she will
4 maintain the insurance required by NRS 485.185 during the period
5 of registration. If the application is submitted by electronic means
6 pursuant to NRS 482.294, the applicant is not required to sign the
7 declaration required by this subparagraph.

8 (f) If the applicant is an owner of a fleet of vehicles or a person
9 described in subsection 5, evidence of insurance provided by an
10 insurance company licensed by the Division of Insurance of the
11 Department of Business and Industry and approved to do business in
12 this State as required by NRS 485.185:

13 (1) In the form of a certificate of insurance on a form
14 approved by the Commissioner of Insurance;

15 (2) In the form of a card issued pursuant to NRS 690B.023
16 which identifies the vehicle or the registered owner of the vehicle;
17 or

18 (3) In another form satisfactory to the Department **H** ,
19 *including, without limitation, an electronic format authorized by*
20 *NRS 690B.023.*

21 ➔ The Department may file that evidence, return it to the applicant
22 or otherwise dispose of it.

23 (g) If required, evidence of the applicant's compliance with
24 controls over emission.

25 (h) If the application for registration is submitted via the
26 Internet, a statement which informs the applicant that he or she may
27 make a nonrefundable monetary contribution of \$2 for each vehicle
28 registered for the Complete Streets Program, if any, created pursuant
29 to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the
30 declaration made pursuant to paragraph (c). The application form
31 must state in a clear and conspicuous manner that a contribution for
32 a Complete Streets Program is nonrefundable and voluntary and is
33 in addition to any fees required for registration, and must include a
34 method by which the applicant must indicate his or her intention to
35 opt in or opt out of making such a contribution.

36 4. The application must contain such other information as is
37 required by the Department or registered dealer and must be
38 accompanied by proof of ownership satisfactory to the Department.

39 5. For purposes of the evidence required by paragraph (f) of
40 subsection 3:

41 (a) Vehicles which are subject to the fee for a license and the
42 requirements of registration of the Interstate Highway User Fee
43 Apportionment Act, and which are based in this State, may be
44 declared as a fleet by the registered owner thereof on his or her
45 original application for or application for renewal of a proportional



1 registration. The owner may file a single certificate of insurance
2 covering that fleet.

3 (b) Other fleets composed of 10 or more vehicles based in this
4 State or vehicles insured under a blanket policy which does not
5 identify individual vehicles may each be declared annually as a fleet
6 by the registered owner thereof for the purposes of an application
7 for his or her original or any renewed registration. The owner may
8 file a single certificate of insurance covering that fleet.

9 (c) A person who qualifies as a self-insurer pursuant to the
10 provisions of NRS 485.380 may file a copy of his or her certificate
11 of self-insurance.

12 (d) A person who qualifies for an operator's policy of liability
13 insurance pursuant to the provisions of NRS 485.186 and 485.3091
14 may file *or provide electronic* evidence of that insurance.

15 **Sec. 2.** NRS 484A.650 is hereby amended to read as follows:

16 484A.650 *1.* Whenever the driver of a vehicle is stopped by a
17 peace officer for violating a provision of chapters 484A to 484E,
18 inclusive, of NRS, except for violating a provision of NRS
19 484B.440 to 484B.523, inclusive, the officer shall demand proof of
20 the insurance required by NRS 485.185 or 490.0825 and issue a
21 citation as provided in NRS 484A.630 if the officer has probable
22 cause to believe that the driver of the vehicle is in violation of NRS
23 485.187 or subsection 4 of NRS 490.520. If the driver of the vehicle
24 is not the owner, a citation must also be issued to the owner, and in
25 such a case the driver:

26 ~~1-1~~ (a) May sign the citation on behalf of the owner; and

27 ~~1-2~~ (b) Shall notify the owner of the citation within 3 days after
28 it is issued.

29 ➔ The agency which employs the peace officer shall immediately
30 forward a copy of the citation to the registered owner of the vehicle,
31 by certified mail, at his or her address as it appears on the certificate
32 of registration.

33 *2. When the evidence of insurance provided by the driver of
34 the vehicle upon the demand of the peace officer is in an
35 electronic format displayed on a mobile electronic device, the
36 peace officer may view only the evidence of insurance and shall
37 not intentionally view any other content on the mobile electronic
38 device.*

39 **Sec. 3.** NRS 485.034 is hereby amended to read as follows:

40 485.034 "Evidence of insurance" means:

41 1. The ~~form~~ *information* provided by an insurer *in a form*
42 *approved* pursuant to NRS 690B.023 as evidence of a contract of
43 insurance for a motor vehicle liability policy; or

44 2. The certificate of self-insurance issued to a self-insurer by
45 the Department pursuant to NRS 485.380.



1 **Sec. 4.** NRS 690B.023 is hereby amended to read as follows:
2 690B.023 ~~##~~

3 **1. Except as otherwise provided in subsection 2, if** insurance
4 for the operation of a motor vehicle required pursuant to NRS
5 485.185 is provided by a contract of insurance, the insurer shall:

6 ~~##~~ **(a)** Provide evidence of insurance to the insured on a form
7 approved by the Commissioner. The evidence of insurance must
8 include:

9 ~~##~~ **(1)** The name and address of the policyholder;

10 ~~##~~ **(2)** The name and address of the insurer;

11 ~~##~~ **(3)** Vehicle information, consisting of:

12 ~~##~~ **(I)** The year, make and complete identification number
13 of the insured vehicle or vehicles; or

14 ~~##~~ **(II)** The word "Fleet" and the name of the registered
15 owner if the vehicle is covered under a fleet policy written on an any
16 auto basis or blanket policy basis;

17 ~~##~~ **(4)** The term of the insurance, including the day, month
18 and year on which the policy:

19 ~~##~~ **(I)** Becomes effective; and

20 ~~##~~ **(II)** Expires;

21 ~~##~~ **(5)** The number of the policy;

22 ~~##~~ **(6)** A statement that the coverage meets the requirements
23 set forth in NRS 485.185; and

24 ~~##~~ **(7)** The statement "This ~~heard~~ **evidence of insurance** must
25 be carried in the insured motor vehicle for production upon
26 demand." The statement must be prominently displayed.

27 ~~##~~ **(b)** Provide new evidence of insurance if:

28 ~~##~~ **(1)** The information regarding the insured vehicle or
29 vehicles required pursuant to ~~paragraph (c) of subsection 1~~
30 **subparagraph (3) of paragraph (a)** no longer is accurate;

31 ~~##~~ **(2)** An additional motor vehicle is added to the policy;

32 ~~##~~ **(3)** A new number is assigned to the policy; or

33 ~~##~~ **(4)** The insured notifies the insurer that the original
34 evidence of insurance has been lost.

35 **2. Upon the request of an insured and to the extent available,**
36 **the insurer may provide the evidence of insurance in an electronic**
37 **format that can be displayed on a mobile electronic device. The**
38 **electronic format must provide for the inclusion of all information**
39 **required by paragraph (a) of subsection 1. An insured who makes**
40 **such a request may also request that the insurer provide the**
41 **insured with the form provided for in subsection 1.**

42 **3. A person who presents a mobile electronic device to**
43 **another person to provide evidence of insurance assumes all**
44 **liability for any resulting damage to the mobile electronic device.**



- 1 **Sec. 5.** This act becomes effective:
2 1. Upon passage and approval for the purpose of adopting
3 regulations and performing any other preparatory administrative
4 tasks necessary to carry out the provisions of this act; and
5 2. On October 1, 2015, for all other purposes.

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