

ASSEMBLY BILL NO. 96—ASSEMBLYWOMAN NEAL

FEBRUARY 13, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the registration of certain motor vehicles and trailers. (BDR 43-494)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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 vehicles; authorizing a person registering a passenger car or motorcycle to pay the original or renewal registration in installments under certain circumstances; revising the circumstances under which a person who owns a dormant vehicle may retain the license plates of the dormant vehicle for potential reinstatement; revising provisions relating to determining the valuation of certain trailers for the purpose of imposing the governmental services tax; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, a person registering a passenger car or a motorcycle with
- 2 the Department of Motor Vehicles must pay the applicable registration fees and
- 3 governmental services tax at the time of registration. (NRS 371.110, 482.480)
- 4 **Section 3** of this bill allows a person, upon a showing of proof satisfactory to the
- 5 Department of financial hardship, to pay the fees and tax in installments.
- 6 Under existing law, a person who owns a dormant vehicle who desires to
- 7 cancel the policy of liability insurance covering the vehicle or to allow the policy to
- 8 expire may, if he or she presents the license plates for the dormant vehicle to the
- 9 Department for the removal and destruction of the registration sticker on those
- 10 plates, retain the license plates for potential reinstatement for not more than 1 year.
- 11 (NRS 485.320) **Section 5** of this bill allows the person, in lieu of presenting the
- 12 plates to the Department, to provide to the Department a signed and notarized
- 13 affidavit acknowledging that the vehicle is a dormant vehicle. The person may
- 14 provide the affidavit to the Department by mail, personal delivery or electronic
- 15 submission on a form provided by the Department.
- 16 Existing law requires the Department of Motor Vehicles to use the
- 17 manufacturer’s suggested retail price in determining the valuation of a vehicle for
- 18 the purpose of imposing the governmental services tax. (NRS 371.050) **Section 6**



19 of this bill requires the Department, in lieu of using the manufacturer's suggested
20 retail price in determining the valuation of a trailer having an unladen weight of
21 less than 4,000 pounds, to use the purchase price, if any, paid by the most recent
22 purchaser of the trailer, as evidenced by such document or documents as the
23 Department may require.

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

1 **Section 1.** NRS 482.206 is hereby amended to read as follows:
2 482.206 1. Except as otherwise provided in this section ~~§~~
3 *and subsection 3 of NRS 485.320*, every motor vehicle, except for a
4 motor vehicle that is registered pursuant to the provisions of NRS
5 706.801 to 706.861, inclusive, must be registered for a period of 12
6 consecutive months beginning the day after the first registration by
7 the owner in this State.
8 2. ~~Every~~ *Except as otherwise provided in subsection 3 of*
9 *NRS 485.320, every* vehicle registered by an agent of the
10 Department or a registered dealer must be registered for 12
11 consecutive months beginning the first day of the month after the
12 first registration by the owner in this State.
13 3. A vehicle which must be registered through the Motor
14 Carrier Division of the Department, or a motor vehicle which has a
15 declared gross weight in excess of 26,000 pounds, must be
16 registered for a period of 12 consecutive months beginning on the
17 date established by the Department by regulation.
18 4. Upon the application of the owner of a fleet of vehicles, the
19 Director may permit the owner to register the fleet on the basis of a
20 calendar year.
21 5. When the registration of any vehicle is transferred pursuant
22 to NRS 482.399, the expiration date of each regular license plate,
23 special license plate or substitute decal must, at the time of the
24 transfer of registration, be advanced for a period of 12 consecutive
25 months beginning:
26 (a) The first day of the month after the transfer, if the vehicle is
27 transferred by an agent of the Department; or
28 (b) The day after the transfer in all other cases,
29 ➔ and a credit on the portion of the fee for registration and
30 the governmental services tax attributable to the remainder of the
31 current period of registration must be allowed pursuant to the
32 applicable provisions of NRS 482.399.
33 **Sec. 2.** NRS 482.451 is hereby amended to read as follows:
34 482.451 1. The Department shall, upon receiving an order
35 from a court to suspend the registration of each motor vehicle that is
36 registered to or owned by a person pursuant to NRS 484C.520,



1 suspend the registration of each such motor vehicle for 5 days and
2 require the return to the Department of the license plates of each
3 such motor vehicle.

4 2. If the registration of a motor vehicle of a person is
5 suspended pursuant to this section, the person shall immediately
6 return the certificate of registration and the license plates to the
7 Department.

8 3. The period of suspension of the registration of a motor
9 vehicle that is suspended pursuant to this section begins on the
10 effective date of the suspension as set forth in the notice thereof.

11 4. The Department shall reinstate the registration of a motor
12 vehicle that was suspended pursuant to this section and reissue the
13 license plates of the motor vehicle only upon the payment of the fee
14 for reinstatement of registration prescribed in subsection ~~H0~~ **I** of
15 NRS 482.480.

16 5. The suspension of the registration of a motor vehicle
17 pursuant to this section does not prevent the owner of the motor
18 vehicle from selling or otherwise transferring an interest in the
19 motor vehicle.

20 **Sec. 3.** NRS 482.480 is hereby amended to read as follows:

21 482.480 There must be paid to the Department for the
22 registration or the transfer or reinstatement of the registration of
23 motor vehicles, trailers and semitrailers, fees according to the
24 following schedule:

25 1. Except as otherwise provided in this section, for each stock
26 passenger car and each reconstructed or specially constructed
27 passenger car registered to a person, regardless of weight or number
28 of passenger capacity, a fee for registration of \$33.

29 2. Except as otherwise provided in subsection 3:

30 (a) For each of the fifth and sixth such cars registered to a
31 person, a fee for registration of \$16.50.

32 (b) For each of the seventh and eighth such cars registered to a
33 person, a fee for registration of \$12.

34 (c) For each of the ninth or more such cars registered to a
35 person, a fee for registration of \$8.

36 3. The fees specified in subsection 2 do not apply:

37 (a) Unless the person registering the cars presents to the
38 Department at the time of registration the registrations of all the cars
39 registered to the person.

40 (b) To cars that are part of a fleet.

41 4. For every motorcycle, a fee for registration of \$33 and for
42 each motorcycle other than a trimobile, an additional fee of \$6 for
43 motorcycle safety. The additional fee must be deposited in the State
44 Highway Fund for credit to the Account for the Program for the
45 Education of Motorcycle Riders.



1 5. *A person registering a passenger car pursuant to*
2 *subsection 1 or a motorcycle pursuant to subsection 4 may pay in*
3 *installments the original or renewal registration fee and the*
4 *governmental services tax imposed by the provisions of chapter*
5 *371 of NRS for the passenger car or motorcycle. The person may*
6 *qualify to pay in installments by providing proof satisfactory to the*
7 *Department that the person has incurred a financial hardship.*
8 *The Department shall adopt regulations to carry out the provisions*
9 *of this subsection. The regulations must include, without*
10 *limitation, provisions for determining the amount and duration of*
11 *any installments paid pursuant to this section and the action*
12 *required to be taken if a person fails to pay any of those*
13 *installments.*

14 6. For each transfer of registration, a fee of \$6 in addition to
15 any other fees.

16 ~~16.1~~ 7. Except as otherwise provided in subsection 7 of NRS
17 485.317, to reinstate the registration of a motor vehicle that is
18 suspended pursuant to that section:

19 (a) A fee as specified in NRS 482.557 for a registered owner
20 who failed to have insurance on the date specified by the
21 Department, which fee is in addition to any fine or penalty imposed
22 pursuant to NRS 482.557; or

23 (b) A fee of \$50 for a registered owner of a dormant vehicle who
24 cancelled the insurance coverage for that vehicle or allowed the
25 insurance coverage for that vehicle to expire without first cancelling
26 the registration for the vehicle in accordance with subsection 3 of
27 NRS 485.320,

28 ↪ both of which must be deposited in the Account for Verification
29 of Insurance which is hereby created in the State Highway Fund.
30 The money in the Account must be used to carry out the provisions
31 of NRS 485.313 to 485.318, inclusive.

32 ~~17.1~~ 8. For every travel trailer, a fee for registration of \$27.

33 ~~18.1~~ 9. For every permit for the operation of a golf cart, an
34 annual fee of \$10.

35 ~~19.1~~ 10. For every low-speed vehicle, as that term is defined in
36 NRS 484B.637, a fee for registration of \$33.

37 ~~10.1~~ 11. To reinstate the registration of a motor vehicle that is
38 suspended pursuant to NRS 482.451, a fee of \$33.

39 **Sec. 4.** NRS 485.317 is hereby amended to read as follows:

40 485.317 1. The Department shall verify that each motor
41 vehicle which is registered in this State is covered by a policy of
42 liability insurance as required by NRS 485.185.

43 2. Except as otherwise provided in this subsection, the
44 Department may use any information to verify whether a motor
45 vehicle is covered by a policy of liability insurance as required by



1 NRS 485.185. The Department may not use the name of the owner
2 of a motor vehicle as the primary means of verifying that a motor
3 vehicle is covered by a policy of liability insurance.

4 3. If the Department is unable to verify that a motor vehicle is
5 covered by a policy of liability insurance as required by NRS
6 485.185, the Department shall send a request for information by
7 first-class mail to the registered owner of the motor vehicle. The
8 owner shall submit all the information which is requested to the
9 Department within 15 days after the date on which the request for
10 information was mailed by the Department. If the Department does
11 not receive the requested information within 15 days after it mailed
12 the request to the owner, the Department shall send to the owner a
13 notice of suspension of registration by certified mail. The notice
14 must inform the owner that unless the Department is able to verify
15 that the motor vehicle is covered by a policy of liability insurance as
16 required by NRS 485.185 within 10 days after the date on which the
17 notice was sent by the Department, the owner's registration will be
18 suspended pursuant to subsection 4.

19 4. The Department shall suspend the registration and require
20 the return to the Department of the license plates of any vehicle for
21 which the Department cannot verify the coverage of liability
22 insurance required by NRS 485.185.

23 5. Except as otherwise provided in subsection 6, the
24 Department shall reinstate the registration of the vehicle and reissue
25 the license plates only upon verification of current insurance and
26 compliance with the requirements for reinstatement of registration
27 prescribed in paragraph (a) of subsection ~~6~~ 7 of NRS 482.480.

28 6. If a registered owner proves to the satisfaction of the
29 Department that the vehicle was a dormant vehicle during the period
30 in which the information provided pursuant to NRS 485.314
31 indicated that there was no insurance for the vehicle, the Department
32 shall reinstate the registration and, if applicable, reissue the license
33 plates. If such an owner of a dormant vehicle failed to cancel the
34 registration for the vehicle in accordance with subsection 3 of NRS
35 485.320, the Department shall not reinstate the registration or
36 reissue the license plates unless the owner pays the fee set forth in
37 paragraph (b) of subsection ~~6~~ 7 of NRS 482.480.

38 7. If the Department suspends the registration of a motor
39 vehicle pursuant to subsection 4 because the registered owner of the
40 motor vehicle failed to have insurance on the date specified in the
41 form for verification, and if the registered owner, in accordance with
42 regulations adopted by the Department, proves to the satisfaction of
43 the Department that the owner was unable to comply with the
44 provisions of NRS 485.185 on that date because of extenuating
45 circumstances, the Department may:



1 (a) Reinstate the registration of the motor vehicle and reissue the
2 license plates upon payment by the registered owner of a fee of \$50,
3 which must be deposited in the Account for Verification of
4 Insurance created by subsection ~~6~~ 7 of NRS 482.480; or

5 (b) Rescind the suspension of the registration without the
6 payment of a fee.

7 ↪ The Department shall adopt regulations to carry out the
8 provisions of this subsection.

9 **Sec. 5.** NRS 485.320 is hereby amended to read as follows:

10 485.320 1. If the license of any person is suspended as
11 provided in this chapter, the person shall immediately return the
12 license to the Department. If the person's registration is suspended,
13 the person shall immediately return the certificate of registration and
14 the license plates to the Department.

15 2. If any person fails to return any item as required by
16 subsection 1, the Department shall forthwith direct any peace officer
17 to secure possession thereof and to return the item to the
18 Department.

19 3. A person who owns a dormant vehicle who desires to cancel
20 the policy of liability insurance covering that vehicle or to allow
21 such a policy to expire:

22 (a) Shall, on or before the date on which the policy is cancelled
23 or expires, cancel the registration of the vehicle to which that policy
24 pertains.

25 (b) May, if the person ~~presents the license plates for that~~
26 ~~vehicle to the authorized personnel of~~ *provides* the Department ~~for~~
27 ~~the removal and destruction of the sticker or other device evidencing~~
28 ~~the current registration of~~ *with a signed and notarized affidavit*
29 *acknowledging that the vehicle ~~is~~ is a dormant vehicle,* retain for
30 potential reinstatement the license plates for a period not to exceed 1
31 year. *The person may provide the affidavit to the Department by*
32 *mail, personal delivery or electronic submission on a form*
33 *provided by the Department.*

34 4. The Department shall adopt regulations which define
35 "extended period," "mechanical circumstances" and "seasonal
36 circumstances" for the purposes of NRS 485.0335.

37 **Sec. 6.** NRS 371.050 is hereby amended to read as follows:

38 371.050 1. Except as otherwise provided in subsections 3 ,
39 ~~and~~ 4 ~~and~~ 5, valuation of vehicles must be determined by the
40 Department upon the basis of 35 percent of the manufacturer's
41 suggested retail price in Nevada excluding options and extras, as of
42 the time the particular make and model for that year is first offered
43 for sale in Nevada.

44 2. If the Department is unable to determine the manufacturer's
45 suggested retail price in Nevada with respect to any vehicle because



1 the vehicle is specially constructed, or for any other reason, the
2 Department shall determine the valuation upon the basis of 35
3 percent of the original retail price to the original purchaser of the
4 vehicle as evidenced by such document or documents as the
5 Department may require.

6 3. For each:

7 (a) Bus, truck, truck-tractor or combination of vehicles having a
8 declared gross weight of 10,000 pounds or more; and

9 (b) Trailer or semitrailer having an unladen weight of 4,000
10 pounds or more,

11 the Department may use 85 percent of the original purchaser's
12 cost price in lieu of the manufacturer's suggested retail price.

13 4. If the Department is unable to determine the original
14 manufacturer's suggested retail price in Nevada, or the original
15 retail price to the purchaser, the Department may determine the
16 original value of the vehicle on the basis of 50 cents per pound.

17 5. *The valuation of a trailer having an unladen weight of less
18 than 4,000 pounds must be determined by the Department upon
19 the basis of 35 percent of the purchase price, if any, paid by the
20 most recent purchaser of the trailer as evidenced by such
21 document or documents as the Department may require.*

22 6. For motor carriers which register pursuant to the provisions
23 of the Interstate Highway User Fee Apportionment Act, the
24 Department may determine the original purchaser's cost price of the
25 vehicle on the basis of its declared gross weight in a manner which
26 the Department finds appropriate and equitable.

27 **Sec. 7.** NRS 371.110 is hereby amended to read as follows:

28 371.110 Except as otherwise provided in NRS **482.480 and**
29 482.482, the governmental services tax is due on the first day of the
30 registration year for the vehicle concerned and must be paid at the
31 same time as, and in conjunction with, the registration or renewal of
32 registration of the vehicle.

33 **Sec. 8.** NRS 371.140 is hereby amended to read as follows:

34 371.140 1. Except as otherwise provided in subsection 3 and
35 NRS 482.209 , **482.480** and 482.482, if the governmental services
36 tax for a vehicle for the next period of registration is not paid before
37 the expiration of the current period of registration for that vehicle, a
38 penalty equal to 10 percent of the tax due, but not less than \$6, plus
39 the amount of the delinquent tax, must be added to the governmental
40 services tax due for the next period of registration, unless the
41 vehicle has not been operated on the highways since the expiration
42 of the prior registration. The Department may retain any penalty so
43 collected.



1 2. Evidence of the nonoperation of a vehicle must be made by
2 an affidavit executed by a person having knowledge of the fact. The
3 affidavit must accompany the application for renewal of registration.

4 3. The provisions of this section do not apply to vehicles
5 registered pursuant to NRS 706.841.

6 **Sec. 9.** This act becomes effective:

7 1. Upon passage and approval for the purpose of adopting
8 regulations and performing any other preparatory administrative
9 tasks that are necessary to carry out the provisions of this act; and

10 2. On July 1, 2013, for all other purposes.

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