

Senate Bill No. 29—Committee on
Growth and Infrastructure

CHAPTER.....

AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to appoint an agent to issue salvage titles; authorizing such an agent to use the name, service marks, trademarks or logo of the Department in an advertisement upon receipt of the Department’s written permission for such use; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Department of Motor Vehicles to issue a salvage title, which is required to transfer ownership interest in a salvage vehicle, upon an application supported by certain documentation. (NRS 487.007, 487.810) **Section 2** of this bill authorizes the Department to appoint by contract a person to issue salvage titles on behalf of the Department under such circumstances as an agent of the Department and requires that agent to collect the fee for the issuance of a salvage title and remit it to the Department. **Section 2** requires the Department to ensure that a person has met certain requirements before entering into a contract with the person to act as an agent. Finally, **section 2** authorizes the Department to investigate, audit and inspect the premises of a person who has been appointed as an agent of the Department to issue salvage titles. **Section 3** of this bill makes a conforming change to indicate the appropriate placement of **section 2** in the Nevada Revised Statutes.

Existing law provides that no person may use the name, service marks, trademarks or logo of the Department in an advertisement, unless the person is an appointed agent of the Department and has obtained the written permission of the Department for such use. (NRS 482.160) **Section 1** of this bill provides that an agent appointed to issue salvage titles may use the name, service marks, trademarks or logo of the Department in an advertisement if the agent has obtained the written permission of the Department for such use.

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

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

Section 1. NRS 482.160 is hereby amended to read as follows:

482.160 1. The Director may adopt and enforce such administrative regulations as are necessary to carry out the provisions of this chapter.

2. The Director may establish branch offices as provided in NRS 481.055, and may by contract appoint any person or public agency as an agent to assist in carrying out the duties of the Department pursuant to this chapter.

3. Except as otherwise provided in this subsection, the contract with each agent appointed by the Department in connection with the



registration of motor vehicles and issuance of license plates may provide for compensation based upon the reasonable value of the services of the agent but must not exceed \$2 for each registration. An authorized inspection station or authorized station that issues certificates of registration pursuant to NRS 482.281 is not entitled to receive compensation from the Department pursuant to this subsection.

4. Except as otherwise provided in this section, no person may use in an advertisement:

(a) The name, service marks, trademarks or logo of the Department; or

(b) A service mark, trademark or logo designed to closely resemble a service mark, trademark or logo of the Department and intended to mislead a viewer to believe that the service mark, trademark or logo is the service mark, trademark or logo of the Department.

5. An agent appointed pursuant to subsection 2 *or section 2 of this act* may use the name, service marks, trademarks or logo of the Department in an advertisement if the agent has obtained the written permission of the Department for such use.

Sec. 2. Chapter 487 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department may by contract appoint any person as an agent of the Department to issue those salvage titles which the Department is authorized to issue pursuant to NRS 487.810. An agent appointed pursuant to this section shall charge and collect the fee required by NRS 487.810 for the issuance of a salvage title and remit it to the Department. Fees remitted to the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Issuance of Salvage Titles created by NRS 487.825.

2. Before entering into a contract pursuant to subsection 1, the Department must require:

(a) Each natural person who will be authorized to issue a salvage title on behalf of the proposed agent to:

(1) Submit to the Department a complete set of his or her fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(2) Pay a fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts



charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(b) The proposed agent to procure and file with the Department a good and sufficient bond in an amount of not less than \$50,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned upon the proposed agent remitting to the Department the full amount of any fee he or she is required to collect pursuant to subsection 1. In lieu of a bond, the proposed agent may deposit with the State Treasurer a like amount of lawful money of the United States.

3. The Department may, as the Director of the Department deems appropriate:

(a) Investigate the actions of an agent appointed pursuant to subsection 1.

(b) Conduct audits of the agent at regular intervals.

(c) Inspect the premises of the agent during regular business hours to determine the agent's compliance with the contract entered into pursuant to subsection 1. The Department may require the agent to pay to the Department an amount equal to the allowance provided for state officers and employees generally while traveling outside of the State for each day or fraction thereof during which an employee of the Department is engaged in any investigation or examination made at any premises of the agent located outside this State, plus any other actual expenses incurred by the employee while he or she is absent from his or her regular place of employment to conduct the investigation or examination outside this State.

Sec. 3. NRS 487.710 is hereby amended to read as follows:

487.710 As used in NRS 487.710 to 487.890, inclusive, *and section 2 of this act*, unless the context otherwise requires, the words and terms defined in NRS 487.720 to 487.790, inclusive, have the meanings ascribed to them in those sections.



