

SENATE BILL NO. 406—COMMITTEE ON TRANSPORTATION

MARCH 28, 2011

Referred to Committee on Transportation

SUMMARY—Requires the Department of Motor Vehicles to waive certain fees owed by certain military personnel. (BDR 43-1145)

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 motor vehicles; requiring the Department of Motor vehicles to waive any fees that would otherwise be imposed against a person for the late renewal of a driver’s license or the registration of a vehicle, if the late renewal resulted from the person being on military deployment; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, if the registration of a vehicle is not renewed before the
2 expiration of the current period of registration for that vehicle, the Department of
3 Motor Vehicles is required to impose penalties as follows: (1) a late registration fee
4 of \$6 for each month or part of a month that the registration is delinquent; and (2) a
5 penalty on the late payment of the governmental services tax due in an amount
6 equal to 10 percent of the tax due, but not less than \$6. (NRS 371.140, 482.515)
7 **Sections 1, 2 and 4** of this bill prohibit the Department from imposing such
8 penalties if the owner of the vehicle was a member of the military deployed to a
9 combat or combat supporting position at the time of the expiration of the prior
10 registration.

11 Under existing law, if the holder of a Nevada driver’s license allows the license
12 to expire for a period of 30 days or more, the person is required to pay a penalty of
13 \$10 when renewing the license. (NRS 483.386, 483.410) Existing law provides an
14 exception to this penalty if the license expires while the holder is on active duty
15 with any branch of the Armed Forces, but only if the person completes a renewal
16 application within 30 days after his or her discharge. (NRS 483.386) **Section 3** of
17 this bill provides an additional exception to the driver’s license renewal penalty for
18 any person whose Nevada driver’s license expires while the person was a member
19 of the military deployed to a combat or combat supporting position. **Section 3**
20 defines “military” to mean the Armed Forces of the United States, a reserve
21 component thereof or the National Guard.



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

1 **Section 1.** Chapter 482 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Notwithstanding any other provision of law, the*
4 *Department shall not impose an additional fee against the owner*
5 *of a vehicle for the delinquent or late registration of that vehicle if*
6 *the owner was a member of the military deployed to a combat or*
7 *combat supporting position at the time of the expiration of the*
8 *prior registration.*

9 2. *Evidence that the owner of a vehicle was a member of the*
10 *military deployed to a combat or combat supporting position at a*
11 *particular time must be furnished by an affidavit executed by a*
12 *person having knowledge of the fact. The affidavit must*
13 *accompany the application for renewal of registration.*

14 3. *As used in this section:*

15 (a) *“Additional fee” means any fine, fee, assessment or other*
16 *monetary penalty that the Department imposes or collects solely*
17 *because a vehicle is registered after the date by which it is*
18 *ordinarily required to be registered. The term does not include a*
19 *fee or tax that would be due and payable irrespective of the*
20 *registration of a vehicle being late.*

21 (b) *“Military” means the Armed Forces of the United States, a*
22 *reserve component thereof or the National Guard.*

23 **Sec. 2.** NRS 482.515 is hereby amended to read as follows:

24 482.515 1. Whenever a person operates any vehicle upon the
25 public highways of this State without having paid therefor the
26 registration or transfer fee required by this chapter, the required fee
27 shall be deemed delinquent.

28 2. ~~FF~~ *Except as otherwise provided in section 1 of this act, if*
29 *the fee for registration is not paid by the end of the last working day*
30 *of the preceding period of registration, a penalty of \$6 must be*
31 *added for each period of 30 calendar days or fraction thereof during*
32 *which the delinquency continues, unless the vehicle has not been*
33 *operated on the highways since the expiration of the prior*
34 *registration or has not been operated on the highways since the*
35 *expiration of the temporary placard issued by a vehicle dealer or*
36 *rebuilder in this State. Evidence of nonoperation of a vehicle must*
37 *be furnished by an affidavit executed by a person having knowledge*
38 *of the fact. The affidavit must accompany the application for*
39 *renewal of registration.*



1 3. If the transferee of a vehicle, required to be registered under
2 the provisions of NRS 482.205, has not registered the vehicle within
3 10 days after the transfer, a penalty of \$6 must be added to the fee
4 for registration. The provisions of this section do not apply to
5 vehicles which come within the provisions of NRS 706.801 to
6 706.861, inclusive.

7 4. In addition to the penalties prescribed in subsections 2 and 3,
8 the Department and its agents shall collect the fees for license plates
9 and registration for each period of 30 calendar days, or portion
10 thereof in excess of 15 days, during which the delinquency has
11 continued or for which the vehicle has not been registered pursuant
12 to NRS 482.205.

13 **Sec. 3.** NRS 483.386 is hereby amended to read as follows:

14 483.386 All persons whose licenses have expired may be
15 required by the Department, whenever good cause appears, to take
16 all or part of the regular examinations as set forth in NRS 483.330.
17 All persons whose licenses have expired for a period of 30 days or
18 more shall pay to the Department the penalty provided in NRS
19 483.410 in addition to the cost of renewing the license except that
20 the following persons are exempt from this penalty:

21 1. A person who has not driven a motor vehicle after the
22 expiration of his or her Nevada driver's license and who submits an
23 affidavit stating that fact;

24 2. A person renewing an expired Nevada driver's license who
25 possesses a valid driver's license from another jurisdiction;

26 3. A person whose Nevada driver's license expires during a
27 period of suspension if the person completes a renewal application
28 within 30 days after the date of eligibility for renewal; ~~and~~

29 4. A person whose Nevada driver's license expires while the
30 person is on active duty with any branch of the Armed Forces, if the
31 person completes a renewal application within 30 days after his or
32 her discharge ~~and~~; *and*

33 *5. A person whose Nevada driver's license expires while the*
34 *person was a member of the military deployed to a combat or*
35 *combat supporting position. As used in this subsection, "military"*
36 *means the Armed Forces of the United States, a reserve*
37 *component thereof or the National Guard.*

38 **Sec. 4.** NRS 371.140 is hereby amended to read as follows:

39 371.140 1. Except as otherwise provided in subsection 3 ,
40 ~~and~~ NRS 482.482 ~~and~~ *section 1 of this act*, if the governmental
41 services tax for a vehicle for the next period of registration is not
42 paid before the expiration of the current period of registration for
43 that vehicle, a penalty equal to 10 percent of the tax due, but not less
44 than \$6, plus the amount of the delinquent tax, must be added to the
45 governmental services tax due for the next period of registration,



1 unless the vehicle has not been operated on the highways since the
2 expiration of the prior registration. The Department may retain any
3 penalty so collected.

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

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

9 **Sec. 5.** This act becomes effective on July 1, 2011.

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