

SENATE BILL NO. 5—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE MOTOR POOL DIVISION)

PREFILED DECEMBER 19, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the purchasing and labeling of motor vehicles by the State. (BDR 27-285)

FISCAL NOTE: Effect on Local Government: No.  
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 public purchasing; revising provisions relating to the purchasing and labeling of motor vehicles by the State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 **Section 1** of this bill removes from existing law the requirement that motor
- 2 vehicles purchased by the State for use by any department, office, bureau, officer or
- 3 employee of the State be labeled by painting the words “State of Nevada” and “For
- 4 Official Use Only” on the motor vehicles. (NRS 334.010) **Section 1** replaces that
- 5 requirement by requiring the State Board of Examiners to adopt regulations
- 6 governing the labeling of those motor vehicles and any exceptions to the labeling
- 7 requirements.
- 8 **Section 1** also revises the requirement that any purchase of a motor vehicle by
- 9 the State receive the prior written consent of the State Board of Examiners to allow
- 10 the prior written consent of a designee of the State Board of Examiners.
- 11 (NRS 334.010)
- 12 **Section 3** of this bill exempts the Board from complying with the procedural
- 13 requirements of chapter 233B of NRS when adopting the regulations required
- 14 pursuant to **section 1**.

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

- 1 **Section 1.** NRS 334.010 is hereby amended to read as follows:
- 2 334.010 1. No ~~automobile~~ *motor vehicle* may be purchased
- 3 by any department, office, bureau, officer or employee of the State



\* S B 5 R 1 \*

1 without prior written consent of the State Board of Examiners ~~H~~ *or*  
2 *its designee.*

3 2. All such ~~automobiles~~ *motor vehicles* must be used for  
4 official purposes only.

5 3. ~~All such automobiles, except:~~

6 ~~—(a) Automobiles maintained for and used by the Governor;~~

7 ~~—(b) Automobiles used by or under the authority and direction of~~  
8 ~~the Chief Parole and Probation Officer, the State Contractors' Board~~  
9 ~~and auditors, the State Fire Marshal, the Investigation Division of~~  
10 ~~the Department of Public Safety, the investigators of the State~~  
11 ~~Gaming Control Board, the investigators of the Securities Division~~  
12 ~~of the Office of the Secretary of State and the investigators of the~~  
13 ~~Attorney General;~~

14 ~~—(c) One automobile used by the Department of Corrections;~~

15 ~~—(d) Two automobiles used by the Caliente Youth Center;~~

16 ~~—(e) Three automobiles used by the Nevada Youth Training~~  
17 ~~Center; and~~

18 ~~—(f) Four automobiles used by the Youth Parole Bureau of the~~  
19 ~~Division of Child and Family Services of the Department of Health~~  
20 ~~and Human Services;~~

21 ~~→ must be labeled by painting the words "State of Nevada" and~~  
22 ~~"For Official Use Only" on the automobiles in plain lettering. The~~  
23 ~~Director of the Department of Administration or a representative of~~  
24 ~~the Director shall prescribe the size and location of the label for all~~  
25 ~~such automobiles.~~

26 ~~4.~~ Any officer or employee of the State of Nevada who  
27 violates any provision of this section is guilty of a misdemeanor.

28 *4. The State Board of Examiners shall adopt regulations*  
29 *governing the labeling of motor vehicles purchased by any*  
30 *department, office, bureau, officer or employee of the State,*  
31 *including, without limitation, any exceptions to the requirement to*  
32 *label a motor vehicle.*

33 *5. As used in this section, "motor vehicle" means a motor*  
34 *vehicle that has a manufacturer's gross vehicle weight rating of*  
35 *less than 8,500 pounds. The term does not include a vehicle that is*  
36 *operated using fewer than four wheels in contact with the ground,*  
37 *including, without limitation, a moped, motorcycle or trimobile.*

38 **Sec. 2.** (Deleted by amendment.)

39 **Sec. 3.** NRS 233B.039 is hereby amended to read as follows:

40 233B.039 1. The following agencies are entirely exempted  
41 from the requirements of this chapter:

42 (a) The Governor.

43 (b) Except as otherwise provided in NRS 209.221, the  
44 Department of Corrections.

45 (c) The Nevada System of Higher Education.



- 1 (d) The Office of the Military.  
2 (e) The State Gaming Control Board.  
3 (f) Except as otherwise provided in NRS 368A.140, the Nevada  
4 Gaming Commission.  
5 (g) The Division of Welfare and Supportive Services of the  
6 Department of Health and Human Services.  
7 (h) Except as otherwise provided in NRS 422.390, the Division  
8 of Health Care Financing and Policy of the Department of Health  
9 and Human Services.  
10 (i) The State Board of Examiners acting pursuant to chapter 217  
11 of NRS ~~+~~ and *NRS 334.010*.  
12 (j) Except as otherwise provided in NRS 533.365, the Office of  
13 the State Engineer.  
14 (k) The Division of Industrial Relations of the Department of  
15 Business and Industry acting to enforce the provisions of  
16 NRS 618.375.  
17 (l) The Administrator of the Division of Industrial Relations of  
18 the Department of Business and Industry in establishing and  
19 adjusting the schedule of fees and charges for accident benefits  
20 pursuant to subsection 2 of NRS 616C.260.  
21 (m) The Board to Review Claims in adopting resolutions to  
22 carry out its duties pursuant to NRS 590.830.  
23 (n) The Silver State Health Insurance Exchange.  
24 2. Except as otherwise provided in subsection 5 and NRS  
25 391.323, the Department of Education, the Board of the Public  
26 Employees' Benefits Program and the Commission on Professional  
27 Standards in Education are subject to the provisions of this chapter  
28 for the purpose of adopting regulations but not with respect to any  
29 contested case.  
30 3. The special provisions of:  
31 (a) Chapter 612 of NRS for the distribution of regulations by  
32 and the judicial review of decisions of the Employment Security  
33 Division of the Department of Employment, Training and  
34 Rehabilitation;  
35 (b) Chapters 616A to 617, inclusive, of NRS for the  
36 determination of contested claims;  
37 (c) Chapter 91 of NRS for the judicial review of decisions of the  
38 Administrator of the Securities Division of the Office of the  
39 Secretary of State; and  
40 (d) NRS 90.800 for the use of summary orders in contested  
41 cases,  
42 ➔ prevail over the general provisions of this chapter.  
43 4. The provisions of NRS 233B.122, 233B.124, 233B.125 and  
44 233B.126 do not apply to the Department of Health and Human



1 Services in the adjudication of contested cases involving the  
2 issuance of letters of approval for health facilities and agencies.

3 5. The provisions of this chapter do not apply to:

4 (a) Any order for immediate action, including, but not limited  
5 to, quarantine and the treatment or cleansing of infected or infested  
6 animals, objects or premises, made under the authority of the State  
7 Board of Agriculture, the State Board of Health, or any other agency  
8 of this State in the discharge of a responsibility for the preservation  
9 of human or animal health or for insect or pest control;

10 (b) An extraordinary regulation of the State Board of Pharmacy  
11 adopted pursuant to NRS 453.2184;

12 (c) A regulation adopted by the State Board of Education  
13 pursuant to NRS 392.644 or 394.1694; or

14 (d) The judicial review of decisions of the Public Utilities  
15 Commission of Nevada.

16 6. The State Board of Parole Commissioners is subject to the  
17 provisions of this chapter for the purpose of adopting regulations but  
18 not with respect to any contested case.

19 **Sec. 4.** 1. This act becomes effective upon passage and  
20 approval for the purposes of adopting regulations and performing  
21 any other preparatory administrative tasks that are necessary to carry  
22 out the provisions of this act; and

23 2. On January 1, 2014, for all other purposes.

