

SENATE BILL NO. 278—SENATOR SETTELMAYER

MARCH 13, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning an application for the registration of an off-highway vehicle. (BDR 43-92)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 off-highway vehicles; prohibiting the Department of Motor Vehicles from requiring a notarized signature from an owner of an off-highway vehicle on an application for the registration of that off-highway vehicle; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law mandates the registration of certain off-highway vehicles. (NRS
2 490.082) This bill prohibits the Department of Motor Vehicles from requiring a
3 notarized signature from the owner of an off-highway vehicle on an application for
4 the registration of that off-highway vehicle.

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

1 **Section 1.** NRS 490.082 is hereby amended to read as follows:
2 490.082 1. An owner of an off-highway vehicle that is
3 acquired:
4 (a) Before July 1, 2011:
5 (1) May apply for, to the Department by mail or to an
6 authorized dealer, and obtain from the Department, a certificate of
7 title for the off-highway vehicle.
8 (2) Except as otherwise provided in subsection 3, shall,
9 within 1 year after July 1, 2011, apply for, to the Department by
10 mail or to an authorized dealer, and obtain from the Department, the
11 registration of the off-highway vehicle.



1 (b) On or after July 1, 2011, shall, within 30 days after acquiring
2 ownership of the off-highway vehicle:

3 (1) Apply for, to the Department by mail or to an authorized
4 dealer, and obtain from the Department, a certificate of title for the
5 off-highway vehicle.

6 (2) Except as otherwise provided in subsection ~~3~~ 4, apply
7 for, to the Department by mail or to an authorized dealer, and obtain
8 from the Department, the registration of the off-highway vehicle
9 pursuant to this section or NRS 490.0825.

10 2. If an owner of an off-highway vehicle applies to the
11 Department or to an authorized dealer for:

12 (a) A certificate of title for the off-highway vehicle, the owner
13 shall submit to the Department or to the authorized dealer proof
14 prescribed by the Department that he or she is the owner of the off-
15 highway vehicle.

16 (b) Except as otherwise provided in NRS 490.0825, the
17 registration of the off-highway vehicle, the owner shall submit:

18 (1) If ownership of the off-highway vehicle was obtained
19 before July 1, 2011, proof prescribed by the Department:

20 (I) That he or she is the owner of the off-highway vehicle;
21 and

22 (II) Of the unique vehicle identification number, serial
23 number or distinguishing number obtained pursuant to NRS
24 490.0835 for the off-highway vehicle; or

25 (2) If ownership of the off-highway vehicle was obtained on
26 or after July 1, 2011:

27 (I) Evidence satisfactory to the Department that he or she
28 has paid all taxes applicable in this State relating to the purchase of
29 the off-highway vehicle, or submit an affidavit indicating that he or
30 she purchased the vehicle through a private party sale and no tax is
31 due relating to the purchase of the off-highway vehicle; and

32 (II) Proof prescribed by the Department that he or she is
33 the owner of the off-highway vehicle and of the unique vehicle
34 identification number, serial number or distinguishing number
35 obtained pursuant to NRS 490.0835 for the off-highway vehicle.

36 3. *The Department shall not require a notarized signature*
37 *from the owner of an off-highway vehicle on an application for*
38 *the registration of that off-highway vehicle which is submitted*
39 *pursuant to the requirements of this section.*

40 4. Registration of an off-highway vehicle is not required if the
41 off-highway vehicle:

42 (a) Is owned and operated by:

43 (1) A federal agency;

44 (2) An agency of this State; or



1 (3) A county, incorporated city or unincorporated town in
2 this State;

3 (b) Is part of the inventory of a dealer of off-highway vehicles
4 and is affixed with a special plate provided to the off-highway
5 vehicle dealer pursuant to NRS 490.0827;

6 (c) Is registered or certified in another state and is located in this
7 State for not more than 15 days;

8 (d) Is used solely for husbandry on private land or on public
9 land that is leased to or used under a permit issued to the owner or
10 operator of the off-highway vehicle;

11 (e) Is used for work conducted by or at the direction of a public
12 or private utility;

13 (f) Was manufactured before January 1, 1976;

14 (g) Is operated solely in an organized race, festival or other
15 event that is conducted:

16 (1) Under the auspices of a sanctioning body; or

17 (2) By permit issued by a governmental entity having
18 jurisdiction;

19 (h) Except as otherwise provided in paragraph (d), is operated or
20 stored on private land or on public land that is leased to the owner or
21 operator of the off-highway vehicle, including when operated in an
22 organized race, festival or other event;

23 (i) Is used in a search and rescue operation conducted by a
24 governmental entity having jurisdiction; or

25 (j) Has a displacement of not more than 70 cubic centimeters.

26 ↪ As used in this subsection, "sanctioning body" means an
27 organization that establishes a schedule of racing events, grants
28 rights to conduct those events and establishes and administers rules
29 and regulations governing the persons who conduct or participate in
30 those events.

31 ~~4.1~~ 5. The registration of an off-highway vehicle pursuant to
32 this section or NRS 490.0825 expires 1 year after its issuance. If an
33 owner of an off-highway vehicle fails to renew the registration of
34 the off-highway vehicle before it expires, the registration may be
35 reinstated upon the payment to the Department of the annual
36 renewal fee, a late fee of \$25 and, if applicable, proof of insurance
37 required pursuant to NRS 490.0825. Any late fee collected by the
38 Department must be deposited with the State Treasurer for credit to
39 the Revolving Account for the Administration of Off-Highway
40 Vehicle Titling and Registration created by NRS 490.085.

41 ~~5.1~~ 6. If a certificate of title or registration for an off-highway
42 vehicle is lost or destroyed, the owner of the off-highway vehicle
43 may apply to the Department by mail, or to an authorized dealer, for
44 a duplicate certificate of title or registration. The Department may
45 collect a fee to replace a certificate of title or registration certificate,



- 1 sticker or decal that is lost, damaged or destroyed. Any such fee
2 collected by the Department must be:
- 3 (a) Set forth by the Department by regulation; and
 - 4 (b) Deposited with the State Treasurer for credit to the
5 Revolving Account for the Administration of Off-Highway Vehicle
6 Titling and Registration created by NRS 490.085.
- 7 ~~16~~ 7. The provisions of subsections 1 to ~~15~~ 6, inclusive, do
8 not apply to an owner of an off-highway vehicle who is not a
9 resident of this State.
- 10 **Sec. 2.** This act becomes effective on July 1, 2015.

