

February

MEMBERS PRESENT

Chairman Sena
Vice Chairman Glover
Mr. FitzPatrick
Mrs. Hayes
Mr. Polish
Mr. Prengaman
Mr. Stewart
Mrs. Wagner
Mrs. Westall

GUESTS PRESENT

John Ciardella, Dept. of Motor Vehicles
Leonard H. Winkelman, Dept. of Motor Vehicles
George Flint, Concerned Citizens
Daryl Capurro, Nevada Motor Transport Assn.
Richard Garrod, Farmers Insurance Group

The first bill called by Chairman Sena was

A.B. 678 - Provides for pro rata refund of privilege tax if registration is canceled.

Mr. George Flint, appearing on behalf of a group of concerned Carson City citizens, discussed the problem of being unable to obtain a refund of fees paid for licensing a vehicle when such vehicle is sold and not replaced. There is no provision in the law for refunding or crediting any unused portion of such fees under those circumstances. Mr. Flint expressed the opinion that it was only fair and equitable to allow a person who had paid privilege tax for a year and only used a portion of the year to have the unused portion refunded or credited for use at a later date.

Mrs. Wagner said A.B. 678 refers only to a refund but Mr. Flint had mentioned a credit to apply in the future. Mr. Flint said he had been informed it was the opinion of legislative counsel in drafting the bill that crediting would become too cumbersome in bookkeeping for the Department of Motor Vehicles.

Mr. Ciardella, Department of Motor Vehicles, said they were neither for or against the bill but he would like to point out that the State of Nevada allows a person to take a credit for the unused portion of the privilege tax and apply it to the purchase of a new vehicle.

Mr. Leonard Winkelman, Department of Motor Vehicles, said he had prepared a fiscal note for A.B. 678. After discussion and

computation, the department has estimated the refunds would amount to \$48,000 per year. It would also cost the local entities, the cities, counties and schools, approximately \$787,000 a year in lost privilege tax. To handle the volume of refunds, three additional employees would be required, plus postage and printing for forms.

Mr. Capurro asked the committee to bear in mind that this privilege tax collected is in lieu of personal property tax. This money is collected by the Department of Motor Vehicles but it is disbursed to the counties. It is further disbursed from the counties to the Distributive School Fund. Any refunds would have to be collected back from these entities which would create a very difficult situation.

A.B. 695 - Extends time for appraisal of abandoned vehicles and changes notification procedure.

Mr. Ciardella said this bill removes the restriction that the department as well as the lien holder provide notification and it increases the time for appraisal from 5 to 10 days. Mr. Ciardella explained how this would eliminate the dual scope of reporting and assist the department in making appraisals.

A.B. 696 - Requires certain additional notice to purchaser of motor vehicle if odometer has been turned back or replaced and provides penalty.

Mr. Ciardella stated that this bill provides that if a person has knowledge that an odometer has been turned back he must notify the buyer or criminal charges for fraud may be filed. He presented Exhibit A which indicates the difference in prices for lower mileage automobiles.

Mr. Ciardella explained to Mrs. Wagner how the department discovers cases of fraud, one of which is information from other states. He also told Chairman Sena that the present law carries only civil penalties as does the federal law. A.B. 696 provides for criminal penalties. Mr. FitzPatrick and Mr. Ciardella discussed methods for having the registration carry the odometer reading.

Mr. Capurro said it bothered him that this bill made a person guilty of a gross misdemeanor for something "he may have reason to believe" rather than direct knowledge.

COMMITTEE ACTION

A.B. 678 - Mr. FitzPatrick moved Indefinitely Postpone. Seconded by Mr. Polish. Motion carried with Mrs. Hayes abstaining and Mrs. Wagner and Mrs. Westall absent.

A.B. 695 - Mr. FitzPatrick moved Indefinitely Postpone. Motion died for lack of second.

Mr. Glover moved Do Pass. Seconded by Mr. Prengaman. Motion carried with Mrs. Hayes abstaining and Mr. FitzPatrick voting no.

A.B. 696 - Mr. FitzPatrick moved to Amend and Do Pass. Amend by deleting "or reason to believe" on lines 8 and 13, and on Page 2 at line 4 change "gross misdemeanor" to "felony". Motion died for lack of second.

Mr. Glover moved that the bill be amended by deleting "reason to believe" on lines 8 and 13. Mr. Prengaman seconded. Mr. Stewart questioned what significant change in the statute would be accomplished if these words were deleted. He further stated he would like to have some testimony from the District Attorneys and perhaps the bill should be referred to Judiciary. Mr. Capurro said there had been difficulty in getting the District Attorneys to prosecute cases since they do not want to use the general criminal statutes in this regard.

Chairman Sena requested Mr. Ciardella to give the committee a copy of the federal law relating to turning back odometers and a copy of the form required by the department.

Mr. Glover withdrew his motion and Mr. Prengaman his second.

A.B. 108 - Chairman Sena requested the committee's permission to send the amendments to the printer. Granted.

A.B. 679 - Mr. Polish moved Do Pass. Mr. FitzPatrick questioned the exemption for emission controls on the trimobile. Mr. Stewart questioned the safety factors. After committee discussion it was agreed to hold the bill.

A.B. 281 - Mr. Ciardella said this bill addresses three things: (1) makes it legal to allow a waiver under certain circumstances; (2) addresses the certificate itself and makes it mandatory that the certificate of compliance be executed at the time of inspection; (3) clears the waiver provision. He informed Mr. Glover that it was not possible to extend going under the mandatory check for another 2 years.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jane Dunne
Assembly Attache

C A S E # 1

MAKE	PURCHASE MILEAGE	SALE MILEAGE	MILEAGE DIFFERENCE	PURCHASE PRICE	SALE PRICE	PROFIT	NUMBER DAYS IN POSSESSION
75 Ford	53,995	32,302	21,693	\$2425.00	\$3175.00	\$ 750.00	3
75 Ford	55,562	33,867	21,695	2400.00	3275.00	875.00	8
75 Ford	59,920	34,111	25,809	2425.00	3675.00	1250.00	10
75 Ford	56,651	36,574	20,077	2400.00	2925.00	525.00	16
75 Ford	97,646	33,218	64,428	1600.00	3600.00	2000.00	8
75 Ford	54,036	39,104	14,932	3200.00	4950.00	1750.00	10
76 Ford	91,124	31,308	59,816	1950.00	4300.00	2350.00	
75 Ford	50,166	39,188	10,978	2700.00	4000.00	1300.00	10
75 Ford	73,579	36,055	37,524	2650.00	3175.00	525.00	59
73 Chev.	87,013	58,174	28,839	1250.00	2450.00	1200.00	47

T O T A L

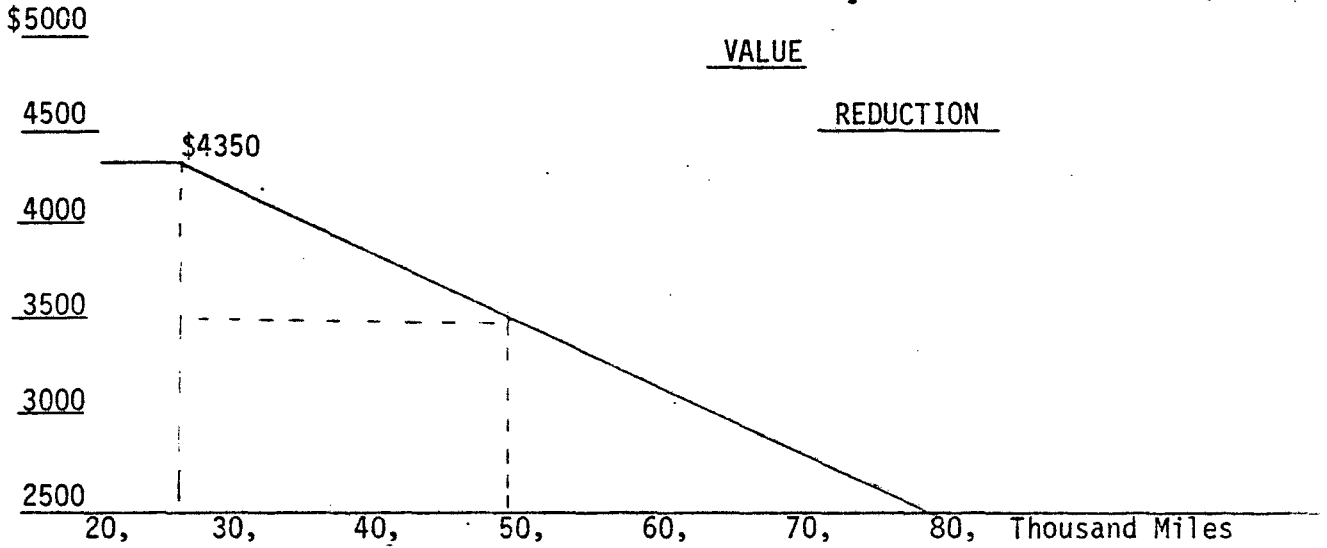
P R O F I T \$12,525.00

AVERAGE MILES REDUCED 30,579

AVERAGE PROFIT/VEHICLE \$1252.00

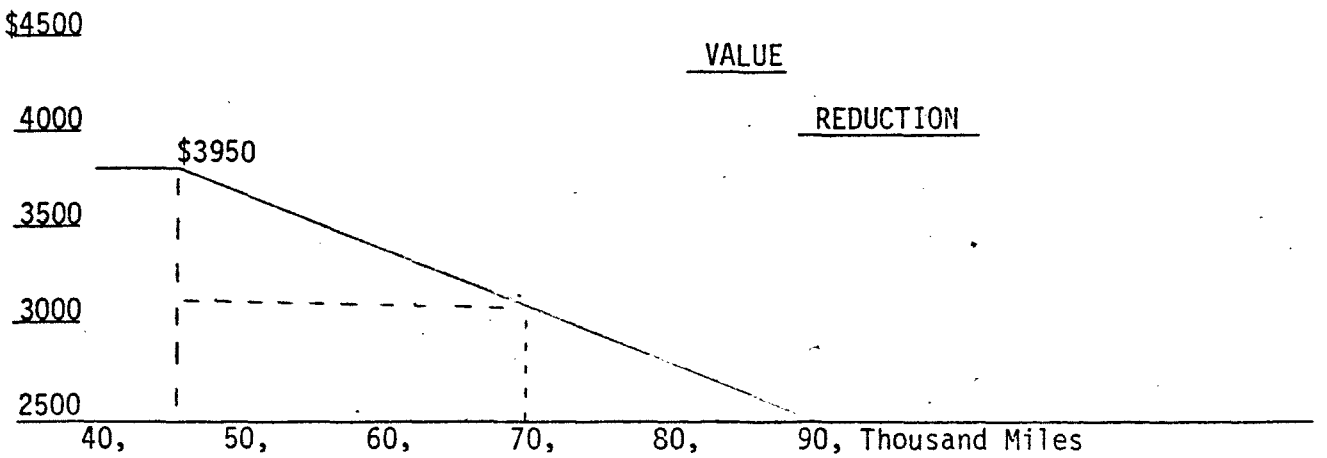
VALUE

77 MONTE CARLO



VALUE

75 T - BIRD



60TH NEVADA LEGISLATURE
 ASSEMBLY TRANSPORTATION COMMITTEE
 LEGISLATIVE ACTION

Date April 23, 1979

Subject A.B. 695

MOTION:

Do Pass Amend Indefinitely Postpone Amend & Do Pass

Moved by Mr. Glover Seconded by _____

AMENDMENT:

Moved by _____ Seconded by _____

AMENDMENT:

Moved by _____ Seconded by _____

NOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
FitzPatrick	_____	x	_____	_____	_____	_____
Glover	x	_____	_____	_____	_____	_____
Hayes	Abstain	_____	_____	_____	_____	_____
Polish	x	_____	_____	_____	_____	_____
Pregaman	x	_____	_____	_____	_____	_____
Sena	x	_____	_____	_____	_____	_____
Stewart	x	_____	_____	_____	_____	_____
Wagner	Absent	_____	_____	_____	_____	_____
Westall	Absent	_____	_____	_____	_____	_____
TALLY:	5	1	_____	_____	_____	_____

ORIGINAL MOTION: Passed Defeated _____ Withdrawn _____

AMENDMENT: Passed _____ Defeated _____ Withdrawn _____

AMENDED & PASSED: Passed _____ Defeated _____

Attached to Minutes of April 23, 1979

