

**MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON TRANSPORTATION**

**SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
March 12, 1981**

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 2:00 p.m., Thursday, March 12, 1981, in Room 323 of the Legislative Building in Carson City, Nevada. Exhibit A is the Meeting Agenda. Because the meeting was a work session there was no Attendance Roster.

**COMMITTEE MEMBERS PRESENT:**

Senator Richard E. Blakemore, Chairman  
Senator William Hernstadt, Vice Chairman  
Senator Lawrence Jacobsen  
Senator Wilbur Faiss  
Senator Clifford E. McCorkle  
Senator James H. Bilbray

**COMMITTEE MEMBER ABSENT:**

Senator Joe Neal

**STAFF MEMBER PRESENT:**

Kelly R. Torvik, Committee Secretary

Prior to the meeting the committee members viewed the Nevada Highway Patrol vehicles and ambulance vehicles in the parking lot of the Legislative Building.

**SENATE BILL NO. 262 (See Exhibit B)**

Chairman Blakemore stated that it is necessary to refer the bill to the Senate Committee on Taxation in order for them to develop the tax package.

Senator Hernstadt moved that the bill be re-referred to the Senate Committee on Taxation.

Senator Jacobsen seconded the motion.

The motion passed. (Senator Bilbray voted "no." Senator Neal and Senator McCorkle were absent for the vote.)

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ASSEMBLY BILL NO. 43 (See Exhibit C)

Chairman Blakemore explained that Assembly Bill No. 43 and Senate Bill No. 7 would have to be amended to provide for Carson City. Senator Bilbray stated that passage of the bills would relieve the assessors' offices of all Department of Motor Vehicles functions.

Senator Faiss moved that Assembly Bill No. 43 receive a recommendation of amend and do pass.

Senator Jacobsen seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

SENATE BILL NO. 7 (See Exhibit D)

Senator Bilbray moved that Senate Bill No. 7 receive a recommendation of amend and do pass.

Senator Jacobsen seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

SENATE BILL NO. 52 (See Exhibit E)

Chairman Blakemore explained that the bill was re-referred to the committee because there was never a vote actually taken on the bill.

Senator Hernstadt moved that the bill receive a recommendation of do pass as amended.

Senator Bilbray seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

ASSEMBLY BILL NO. 41 (See Exhibit F)

Chairman Blakemore explained that the bill was necessary to penalize individuals for installing an amber warning light without a permit from the Nevada Highway Patrol.

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Senator Bilbray moved that Assembly Bill No. 41 receive a do pass recommendation.

Senator Jacobsen seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

**SENATE BILL NO. 228**

Chairman Blakemore asked the committee if it would object to not taking action of the bill at that time. There were no objections.

**SENATE BILL NO. 156 (See Exhibit G)**

Mr. Daykin explained that the bill was requested by the Legislative Counsel Bureau in order to repeal a statute which is obsolete.

Senator Bilbray moved that the bill receive a do pass recommendation.

Senator Hernstadt seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

**SENATE BILL NO. 363**

Chairman Blakemore suggested that the committee be prepared to act on the bill at the next meeting. Senator Hernstadt proposed an amendment to the bill. (See Exhibit H). Mr. Hale Bennett, Director, Registration Division, Department of Motor Vehicles agreed with the amendment. Chairman Blakemore noted that it is necessary that the bill be processed. Mr. Bennett pointed out that there is another proposed amendment to the bill which would include trucks and trailers. (See Exhibit I).

**SENATE BILL NO. 298 (See Exhibit J)**

Chairman Blakemore asked the committee if they desired to take action on the bill.

Senator Hernstadt moved that the bill receive a do pass recommendation.

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Senator Bilbray seconded the motion.

The motion passed. (Senator Neal was absent for the vote.)

SENATE BILL NO. 200 (See Exhibit K)

Senator Hernstadt moved that the bill be re-referred to the Senate Committee on Taxation.

Senator Faiss seconded the motion.

The motion passed. (Senator Neal was absent for the vote.)

SENATE BILL NO. 159

Chairman Blakemore explained that there are possible amendments to the bill being drawn up and asked the committee if they would mind not taking action on the bill at that time. The committee agreed not to take any action on the bill at that time.

SENATE JOINT RESOLUTION NO. 24 (See Exhibit L)

Senator Hernstadt moved that the bill receive a do pass recommendation.

Senator McCorkle seconded the motion.

The motion passed. (Senator Neal was absent for the vote.)

SENATE BILL NO. 160

Chairman Blakemore explained that proposed amendments for the bill were being drawn up at that time.

SENATE CONCURRENT RESOLUTION NO. 7 (See Exhibit M)

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Hernstadt seconded the motion.

The motion passed. (Senator Neal was absent for the vote.)

SENATE BILL NO. 80 (See Exhibit N)

Senator McCorkle moved that the bill receive a do pass recommendation.

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Senator Faiss seconded the motion

Senator McCorkle explained that he would like Senate Bill No. 80 receive a do pass recommendation because it is the tendency in the Senate Finance Committee to have departments which issue licenses and require fees become self-supporting. He felt that a fee increase is overdue.

Senator Faiss withdrew his second to Senator McCorkle's motion.

Chairman Blakemore asked the committee if they would prefer to re-refer the bill to the Senate Committee on Taxation. Senator McCorkle felt that it was the Senate Committee on Transportation's obligation to act on the bill.

Senator Bilbray moved that the bill be re-referred to the Senate Committee on Taxation.

Senator Hernstadt seconded the motion.

The motion passed. (Senator Jacobsen and Senator McCorkle voted no. Senator Neal was absent for the vote.)

SENATE BILL NO. 155

Chairman Blakemore asked Senator Bilbray to draw up the amendments which he desired. Senator Bilbray agreed to draw up the amendments. Senator Hernstadt felt that Senate Bill No. 155 was a necessary departmental bill.

SENATE BILL NO. 158

Chairman Blakemore noted that his notes reflected that the bill was an "accounting nightmare."

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Hernstadt seconded the motion.

Senator Jacobsen stated that the bill involves monthly distribution to the counties.

Senator Bilbray withdrew his motion.

Senator Bilbray suggested that the committee hold the bill until they knew the impact of the bill.

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SENATE BILL NO. 83

Chairman Blakemore noted that since the bill allows for trial in District Court the trial could be easily delayed to a point where the violator is never subjected to punishment. He stated that he has individuals working on amendments to the bill which would remedy that situation. Chairman Blakemore stated that the amendments would not weaken the bill. He felt that the committee should wait to take action on the bill until they have a strong bill which would have a chance of being approved by the Legislature. Chairman Blakemore agreed to take action on the bill as soon as the amendments are ready.

There being no further business, the meeting adjourned at 2:32 p.m.

Respectfully submitted by:

  
Kelly R. Norvik

APPROVED:

  
Senator Richard E. Blakemore  
Chairman

Dated: 3/13, 1981

**SENATE AGENDA**

**EXHIBIT A**

**COMMITTEE MEETINGS**

Committee on Transportation, Room 323

Day Thursday, Date March 12, 1981, Time 1:30

**Work Session.**

S. B. 262

SENATE BILL NO. 262—COMMITTEE ON  
TRANSPORTATION

FEBRUARY 18, 1981

Referred to Committee on Transportation

SUMMARY—Increases certain fees for registering and licensing motor  
vehicles. (HJR 43-785)FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in brackets is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to motor vehicles; increasing certain fees for registration and licensing; increasing the penalty for delinquent registration; setting a flat rate per mile for certain carriers; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:

- 1 SECTION 1. NRS 482.429 is hereby amended to read as follows:  
2 482.429 For its services under this chapter, the department shall  
3 charge and collect a fee of [~~\$2~~] \$5 for each certificate of title issued.  
4 SEC. 2. NRS 482.480 is hereby amended to read as follows:  
5 482.480 There must be paid to the department for the registration or  
6 transfer of registration of motor vehicles, trailers and semitrailers, fees  
7 according to the following schedule:  
8 1. For each stock passenger car [ , bus ] and each reconstructed or  
9 specially constructed passenger car, regardless of weight or number of  
10 passenger capacity, a registration fee of [~~\$5.50~~] \$12.  
11 2. For every motorcycle, the sum of [~~\$3.50~~] \$12.  
12 3. For every bus or motortruck having an unladen weight of 3,500  
13 pounds or less, as shown by a public weighmaster's certificate, a registra-  
14 tion fee of [~~\$9~~] \$12.  
15 4. For every trailer or semitrailer having an unladen weight of  
16 1,000 pounds or less, a flat registration fee of [~~\$2.50~~] \$6. For every  
17 trailer having an unladen weight of more than 1,000 pounds, but not  
18 more than 3,500 pounds, a flat registration fee of [~~\$3.50~~] \$9. For  
19 every trailer or semitrailer having an unladen weight of more than  
20 3,500 pounds and less than 4,000 pounds, fees according to the follow-  
21 ing schedule:



1	3,501 to and including 3,549 pounds.....	\$8	\$12
2	3,550 to and including 3,649 pounds.....	10	14
3	3,650 to and including 3,749 pounds.....	12	16
4	3,750 to and including 3,849 pounds.....	14	18
5	3,850 to and including 3,949 pounds.....	16	20
6	3,950 to and including 3,999 pounds.....	18	22

7 5. For every bus or motortruck having an unladen weight of more  
8 than 3,500 pounds and less than [3,050] 5,000 pounds, fees according  
9 to the following schedule:

10	3,501 to and including 3,549 pounds.....	\$10	\$14
11	3,550 to and including 3,649 pounds.....	12	16
12	3,650 to and including 3,749 pounds.....	14	18
13	3,750 to and including 3,849 pounds.....	16	20
14	3,850 to and including 3,949 pounds.....	18	22
15	3,950 to and including 3,999 pounds.....	20	24
16	4,000 to and including [5,049] 4,999 pounds.....	25	27

17 6. For every trailer or semitrailer having an unladen weight of  
18 4,000 pounds or more, except mobile homes, and for every bus or  
19 motortruck having an unladen weight of [3,050] 5,000 pounds or  
20 more, [50] 60 cents per 100 pounds, or major fraction thereof, of  
21 unladen weight as shown by a public weighmaster's certificate. At the  
22 time of weighing, each vehicle must have in place each accessory and  
23 appliance belonging to and used on the vehicle in the transportation of  
24 property. Whenever a camper is attached to a motortruck, the camper  
25 shall be considered as a load and the fees imposed by this section upon  
26 the motortruck must be based on the unladen weight of the motor-  
27 truck, exclusive of the camper.

28 7. Except as provided in subsection 8, for each transfer of registra-  
29 tion the fee is [\$2.] \$5.

30 8. The fee for transfer of a registration to any motor vehicle enumer-  
31 ated in subsection 6 is [\$2] \$5 plus the excess, if any, of the fee which  
32 would have been payable for an original registration of the vehicle over  
33 the fee paid for registration of the vehicle from which the registration is  
34 transferred.

35 9. For every motor vehicle there is an additional fee of \$3 for each  
36 registration, which must be accounted for in the highway patrol special  
37 fund which is hereby created as a special revenue fund and must be  
38 used only for the purposes specified in NRS 481.145.

39 10. For every travel trailer, the registration fee [shall be \$5.50.]  
40 is \$12.

41 SEC. 3. NRS 482.490 is hereby amended to read as follows:  
42 482.490 [There shall be paid to the department for each] Each  
43 person applying for a manufacturer, dealer or rebuilder license plate,  
44 or pair of plates [,] must pay at the time of application, in lieu of any  
45 other fees specified in this chapter, [fees] a fee according to the fol-  
46 lowing schedule: [,] which fees shall be paid at the time application is  
47 made for such plates:]

1 For each plate or pair of plates for [motor vehicles, includ-  
 2 ing motorcycles] a motor vehicle, including a motor-  
 3 cycle..... [\$5.50] \$12  
 4 For plates for [trailers and semitrailers] a trailer or semi-  
 5 trailer..... [5.50] 12

6 **SEC. 4.** NRS 482.500 is hereby amended to read as follows:  
 7 482.500 1. Except as provided in subsection 2, whenever upon  
 8 application any duplicate or substitute certificate of registration or  
 9 ownership, decal or number plate is issued, [upon application,] the fol-  
 10 lowing fees [shall] must be paid:

11 For a certificate of registration or ownership..... [\$2.00] \$5  
 12 For every substitute number plate..... [2.00] 5  
 13 For every duplicate number plate..... [7.50] 10  
 14 For every decal (license plate sticker or tab)..... [1.00] 5

15 2. A fee of [\$2 shall] \$5 must be paid for a duplicate plate of  
 16 a special plate issued pursuant to NRS 482.3667, 482.375, 482.376 or  
 17 482.380. A fee [shall] must not be charged for a duplicate plate or  
 18 plates issued under NRS 482.368, 482.370, 482.373 or 482.374.

19 3. The fee which is paid for a duplicate number plate [shall] must  
 20 be deposited [to] with the state treasurer for credit to the motor vehicle  
 21 fund and allocated to the department to defray the costs of duplicating  
 22 the plate.

23 **SEC. 5.** NRS 482.515 is hereby amended to read as follows:  
 24 482.515 1. Whenever a person operates any vehicle [is operated]  
 25 upon the public highways of this state without [there] having [been]  
 26 paid therefor the registration or transfer fee required by this chapter,  
 27 [such] the required fee shall be deemed delinquent.

28 2. If such a registration fee is not paid by the end of the last registra-  
 29 tion month of the preceding registration period, a penalty of [\$3 shall]  
 30 \$6 must be added thereto. If [such] the delinquency continues, and if  
 31 the person liable for [such] the fee has knowledge of the delinquency,  
 32 a penalty of [\$3 shall] \$6 must be added for each month during which  
 33 the delinquency continues, unless the vehicle has not been operated on  
 34 the highways since the expiration of the prior registration. Evidence of  
 35 nonoperation of a vehicle [shall] must be furnished by an affidavit  
 36 executed by a person having knowledge of the fact. The affidavit [shall]  
 37 must accompany the application for renewal of registration.

38 3. If the transferee of a vehicle, required to be registered under  
 39 the provisions of NRS 482.205, has not registered the vehicle within  
 40 10 days after the transfer, a penalty of [\$3 shall] \$6 must be added to  
 41 the registration fee. The provisions of this section do not apply to  
 42 vehicles which come within the provisions of NRS 706.801 to 706.861,  
 43 inclusive.

44 **SEC. 6.** NRS 371.140 is hereby amended to read as follows:  
 45 371.140 1. If the privilege tax is not paid within 30 days after it  
 46 becomes delinquent, a penalty equal to 10 percent of the tax, but not  
 47 less than [\$3, shall] \$6, must be added thereto and [be] collected  
 48 therewith, but, if the annual registration of a vehicle is being renewed,  
 49 the penalty [shall] must be added to any payment made on or after

1 the 31st day of the registration year, unless the vehicle has not been  
2 operated on the highways since the expiration of the prior registration.  
3 The department may retain any penalty so collected.

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

7 **SEC. 7. NRS 706.516 is hereby amended to read as follows:**

8 **706.516 1.** In lieu of the license fees set forth in NRS 706.506, the  
9 department may, when it is satisfied that adequate records are or will be  
10 maintained by the applicant or that the applicant has a history of com-  
11 pliance with the provisions of this chapter, authorize any common, con-  
12 tract or private carrier who operates vehicles across the boundaries of the  
13 state, to pay a mileage fee upon all mileage traveled by motor vehicle  
14 within the State of Nevada in the statutory licensing period at [the fol-  
15 lowing per-mile fees for total miles] *a rate of 3 cents per mile* traveled in  
16 that period. [:

17 For the first 75,000 miles of travel, per mile..... 2.5 cents  
18 From 75,001 to 250,000 miles of travel, per mile..... 2.0 cents  
19 From 250,001 miles to 1,000,000 miles of travel,  
20 per mile..... 1.5 cents

21 From 1,000,001 to 2,000,000 miles of travel, per mile... 1.25 cents  
22 For all miles in excess of 2,000,000, per mile..... 1.0 cent]

23 Motor vehicles of 5,000 pounds or less, unladen weight [shall] *do not*  
24 have this option.

25 2. [In order to qualify under this section, each such carrier shall:

26 (a) Annually file an application with the department declaring the  
27 total mileage operated by such vehicles in all states and in this state dur-  
28 ing the preceding statutory licensing period and describing and identify-  
29 ing each such vehicle to be operated in this state during the ensuing  
30 license year; and

31 (b) Annually make a minimum advance deposit not less than \$120  
32 nor more than an amount obtained by applying the proportion of in-state  
33 motor vehicle miles to total motor vehicle miles as reported in the state-  
34 ment to the fees which would otherwise be required for licensing all such  
35 motor vehicles or fleets of motor vehicles. This amount shall be entered  
36 to the credit of each person so qualifying under this section and shall be  
37 applied against amounts which may become due under the schedule of  
38 fees set forth in subsection 1. The minimum advance deposit for an initial  
39 application filed after the beginning of the calendar year shall be reduced  
40 by one-twelfth for each month which has elapsed since the beginning of  
41 the calendar year. The advance deposit shall be considered the minimum  
42 amount due under this section and shall not be subject to refund or  
43 credited for any subsequent license period or for any other purpose.  
44 Advance deposit shall not be required on supplemental applications.

45 3.] In addition to the [fees] *fees* per mile set forth in subsection 1,  
46 [there shall be assessed an annual nonrefundable] *each applicant must*  
47 *pay to the department an administrative fee of [\$5] \$7 for each motor*  
48 *vehicle qualified to operate in Nevada under this section. [ for which*  
49 *fee there shall be issued an identifying device.] The fee is nonrefundable.*  
50 *The department shall issue an identifying device for each such vehicle.*

1     **SEC. 8. NRS 706.531 is hereby amended to read as follows:**

2     **706.531 1.** After the department of transportation has approved  
3 an application for a permit under the provisions of subsection 4 of NRS  
4 484.739, and prior to issuance, the department shall issue special identi-  
5 fying devices for vehicle combinations to be operated under the permit,  
6 which must be carried and displayed on any vehicle combination operat-  
7 ing under the permit in such manner as the department determines. The  
8 devices issued may be transferred from one vehicle combination to  
9 another, under such conditions as the department may by regulation  
10 prescribe, but must not be transferred from one person or operator to  
11 another without prior approval of the department of transportation.  
12 ~~[Such]~~ *The devices may be used only on motor vehicles regularly*  
13 *licensed under the provisions of NRS 706.506 or 706.516.*

14     **2.** The annual fee for each ~~[vehicle combination]~~ identifying device  
15 or ~~[devices is \$20]~~ *set of devices for a vehicle combination is \$40* for  
16 each 1,000 pounds or fraction thereof of gross vehicle combination  
17 weight in excess of 77,000 pounds. ~~[, which]~~ *The fee must be reduced*  
18 *one-twelfth for each month that has elapsed since the beginning of each*  
19 *calendar year, rounded to the nearest dollar, but must not be less than*  
20 *\$50. The fee must be paid in addition to all other fees required under*  
21 *the provisions of this chapter.*

22     **3.** Any person operating a vehicle combination licensed pursuant  
23 to the provisions of subsection 2, who is apprehended operating a  
24 vehicle combination in excess of the gross vehicle load for which the fee  
25 in subsection 2 has been paid is, in addition to all other penalties pro-  
26 vided by law, liable for the difference between the fee for the load being  
27 carried and the fee paid, for the full licensing period.

28     **4.** Any person apprehended operating a vehicle combination without  
29 having complied with the provisions of NRS 484.739 and this section  
30 is, in addition to all other penalties provided by law, liable for the pay-  
31 ment of the fee which would be due under the provisions of subsection  
32 2 for the balance of the calendar year for the gross load being carried  
33 at the time of apprehension.

(REPRINTED WITH ADOPTED AMENDMENTS)  
FIRST REPRINT

A. B. 43

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ASSEMBLY BILL NO. 43—COMMITTEE ON TAXATION

JANUARY 27, 1981

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Referred to Committee on Taxation

SUMMARY—Requiring designation of agent for collection of use taxes on vehicles. (BDR 43-147)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to taxation; requiring the department of taxation to designate an agent for the collection of use taxes on vehicles; removing certain limitations based on population; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 482.160 is hereby amended to read as follows:  
2 482.160 1. The director may adopt and enforce such administrative  
3 regulations as may be necessary to carry out the provisions of this chap-  
4 ter.  
5 2. The director may establish branch offices as provided in NRS  
6 481.055, and may by contract appoint any person or public agency as an  
7 agent to assist in carrying out the duties of the department under this  
8 chapter. The director shall designate the county assessor of each county  
9 [with a population of less than 100,000] *in which he has not established*  
10 *a branch office* as agent to assist in carrying out the duties of the depart-  
11 ment in that county.  
12 3. The contract with each agent appointed by the department in con-  
13 nection with the registration of motor vehicles and issuance of license  
14 plates [shall] *must* provide for compensation based upon the reasonable  
15 value of the services of the agent but [shall] *may* not exceed \$1 for each  
16 registration.  
17 SEC. 2. NRS 482.225 is hereby amended to read as follows:  
18 482.225 1. [Whenever] *When* application is made to the depart-  
19 ment for registration of a vehicle purchased outside the state and not  
20 previously registered within this state where the registrant or owner at  
21 the time of purchase was not a resident of or employed in this state, the  
22 department shall notify the representative of the department of taxation  
23 or its agent of the owner's or registrant's intent to register that vehicle.

1 The representative of the department of taxation or its agent shall  
2 determine and collect any use tax due, and shall remit the taxes he  
3 collects to the department of taxation.

4 2. If the registrant or owner of the vehicle was a resident of the  
5 state, or employed within the state, at the time of the purchase of that  
6 vehicle, it [shall be] *is* presumed that the vehicle was purchased for  
7 use within the state and the representative or agent of the department  
8 of taxation shall collect [such] *the* tax and remit it to the department  
9 of taxation.

10 3. Until notified by the representative of the department of taxa-  
11 tion or its agent of payment of or exemption from the tax, the depart-  
12 ment shall refuse to register the vehicle.

13 4. In counties [with a population of 100,000 or more,] where the  
14 department has established branch offices, [space shall be provided by  
15 the department for a representative of the department of taxation, who  
16 shall determine and collect the] *the department of taxation shall design-*  
17 *ate the department of motor vehicles as its agent for the collection of*  
18 *use tax on vehicles as provided in subsections 1 and 2. In any other*  
19 *county [with a population of less than 100,000,] the department of taxa-*  
20 *tion [may] shall designate the county assessor, the department or the*  
21 *agent of the department as the agent of the department of taxation for*  
22 *the collection of use tax.*

23 5. [For purposes of collection of use tax under the provisions of  
24 chapter 372 of NRS, the department of taxation may designate the  
25 department as agent.

26 6.] If the [taxpayer can controvert] *registrant or owner desires to*  
27 *refute* the presumption stated in subsection 2 that he purchased the  
28 vehicle for use in this state, he must pay the tax to the representative  
29 of the department of taxation, and [must substantiate] *then may submit*  
30 *his claim for exemption [by a statement] in writing, signed by [the*  
31 *registrant or owner,] him or his authorized representative, [and forward*  
32 *the statement] to the department of taxation together with his claim*  
33 *for refund of tax erroneously or illegally collected.*

34 [7.] 6. If the department of taxation finds that the tax has been  
35 erroneously or illegally collected, the tax [shall] *must* be refunded as  
36 provided in NRS 372.630 to 372.720, inclusive.

S. B. 7

SENATE BILL NO. 7—SENATOR JACOBSEN

JANUARY 20, 1981

Referred to Committee on Transportation

SUMMARY—Limits designation of county assessors as agents of department of motor vehicles. (BDR 43-449)

FISCAL NOTE: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes.

EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the department of motor vehicles; further limiting the designation of county assessors as agents; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 482.160 is hereby amended to read as follows:
- 2 482.160 1. The director may adopt and enforce such administrative
- 3 regulations as may be necessary to carry out the provisions of this
- 4 chapter.
- 5 2. The director may establish branch offices as provided in NRS
- 6 481.055, and may by contract appoint any person or public agency as
- 7 an agent to assist in carrying out the duties of the department under this
- 8 chapter. The director shall designate the county assessor of each county
- 9 with a population of less than [100,000] 30,000 as agent to assist in
- 10 carrying out the duties of the department in that county.
- 11 3. The contract with each agent appointed by the department in
- 12 connection with the registration of motor vehicles and issuance of license
- 13 plates shall provide for compensation based upon the reasonable value
- 14 of the services of the agent but shall not exceed \$1 for each registration.
- 15 SEC. 2. NRS 482.180 is hereby amended to read as follows:
- 16 482.180 1. The motor vehicle fund is hereby created as an agency
- 17 fund. All money received or collected by the department must be depos-
- 18 ited in the state treasury for credit to the motor vehicle fund.
- 19 2. Any check accepted by the department in payment of vehicle
- 20 privilege tax or any other fee required to be collected under this chapter
- 21 must, if it is dishonored upon presentation for payment, be charged back
- 22 against the motor vehicle fund or the county to which the payment was
- 23 credited, in the proper proportion.

1 3. Money for the administration of the provisions of this chapter  
2 must be provided by direct legislative appropriation from the state high-  
3 way fund, upon the presentation of budgets in the manner required by  
4 law. Out of the appropriation the department shall pay every item of  
5 expense.

6 4. The department shall certify monthly to the state board of exam-  
7 iners the amount of privilege taxes collected for each county by the  
8 department and its agents during the preceding month, and that money  
9 must be distributed monthly as provided in subsection 5.

10 5. The distribution of the privilege tax within a county must be made  
11 to local governments, as defined in NRS 354.474, in the same ratio as  
12 all property taxes were levied in the county in the previous fiscal year,  
13 but the State of Nevada is not entitled to share in that distribution. The  
14 amount attributable to the debt service of each school district must be  
15 included in the allocation made to each county government. For the  
16 purpose of this subsection, the taxes levied by each local government are  
17 the product of its certified valuation, determined pursuant to subsection  
18 2 of NRS 361.405, and its tax rate, established pursuant to NRS 361-  
19 455, except that the tax rate for school districts is the rate established  
20 pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1978.  
21 Local governments, other than incorporated cities, are entitled to receive  
22 no distribution if the distribution to the local government is less than  
23 \$100. Any undistributed money accrues to the county general fund of  
24 the county in which the local government is located. The department  
25 shall make distributions directly to counties, county school districts and  
26 incorporated cities or towns. Distributions for other local governments  
27 within a county must be paid to the counties for distribution to the other  
28 local governments.

29 6. Privilege taxes collected on vehicles subject to the provisions of  
30 chapter 706 of NRS and engaged in interstate or intercounty operation  
31 must be distributed among the counties in the following percentages:

32 Carson City..... 1.07 percent	Lincoln..... 3.12 percent
33 Churchill..... 5.21 percent	Lyon..... 2.90 percent
34 Clark..... 22.54 percent	Mineral..... 2.40 percent
35 Douglas..... 2.52 percent	Nye..... 4.09 percent
36 Elko..... 13.31 percent	Perishing..... 7.00 percent
37 Esmeralda..... 2.52 percent	Storey..... .19 percent
38 Eureka..... 3.10 percent	Washoe..... 12.24 percent
39 Humboldt..... 8.25 percent	White Pine..... 5.66 percent
40 Lander..... 3.88 percent	

41 The distributions must be allocated among local governments within the  
42 respective counties pursuant to the provisions of subsection 5.

43 7. As commission to the state for collecting the privilege taxes on  
44 vehicles subject to the provisions of this chapter and chapter 706 of NRS  
45 the department shall retain 6 percent from counties having a population  
46 of [100,000] 30,000 or more and 1 percent from counties having a  
47 population of less than [100,000.] 30,000.

48 8. When the foregoing requirements have been met, and when  
49 directed by the department, the state controller shall transfer monthly  
50 to the state highway fund any balance in the motor vehicle fund.



1     **SEC. 3. NRS 482.225 is hereby amended to read as follows:**  
 2     **482.225** 1. Whenever application is made to the department for  
 3 registration of a vehicle purchased outside the state and not previously  
 4 registered within this state where the registrant or owner at the time of  
 5 purchase was not a resident of or employed in this state, the department  
 6 shall notify the representative of the department of taxation or its agent  
 7 of the owner's or registrant's intent to register that vehicle. The repre-  
 8 sentative of the department of taxation or its agent shall determine and  
 9 collect any use tax due, and shall remit the taxes he collects to the  
 10 department of taxation.

11     2. If the registrant or owner of the vehicle was a resident of the  
 12 state, or employed within the state, at the time of the purchase of that  
 13 vehicle, it [shall be] *is* presumed that the vehicle was purchased for use  
 14 within the state and the representative or agent of the department of  
 15 taxation shall collect such tax and remit it to the department of taxation.

16     3. Until notified by the representative of the department of taxation  
 17 or its agent of payment of or exemption from the tax, the department  
 18 shall refuse to register the vehicle.

19     4. In counties with a population of [100,000] 30,000 or more,  
 20 where the department has established branch offices, space [shall] *must*  
 21 be provided by the department for a representative of the department  
 22 of taxation, who shall determine and collect the use tax on vehicles as  
 23 provided in subsections 1 and 2. In any county with a population of less  
 24 than [100,000] 30,000, the department of taxation may designate the  
 25 county assessor, the department or the agent of the department as the  
 26 agent of the department of taxation for the collection of use tax.

27     5. For purposes of collection of use tax under the provisions of  
 28 chapter 372 of NRS, the department of taxation may designate the  
 29 department as agent.

30     6. If the taxpayer can controvert the presumption stated in sub-  
 31 section 2 that he purchased the vehicle for use in this state, he must pay  
 32 the tax to the representative of the department of taxation, and must  
 33 substantiate his claim for exemption by a statement in writing, signed  
 34 by the registrant or owner, or his authorized representative, and forward  
 35 the statement to the department of taxation together with his claim for  
 36 refund of tax erroneously or illegally collected.

37     7. If the department of taxation finds that the tax has been errone-  
 38 ously or illegally collected, the tax [shall] *must* be refunded as provided  
 39 in NRS 372.630 to 372.720, inclusive.

40     **SEC. 4. NRS 371.107 is hereby amended to read as follows:**

41     **371.107** The county assessor of each county with a population of  
 42 [100,000] 30,000 or more is designated as an agent to assist the depart-  
 43 ment in administering the exemptions provided in this chapter, and shall,  
 44 after establishing the validity of an application for an exemption, issue  
 45 a certificate for use by the department to allow a claimant the appropri-  
 46 ate exemption on his vehicle.

47     **SEC. 5. NRS 371.125 is hereby amended to read as follows:**

48     **371.125** The county assessor of each county with a population of

1 less than [100,000] 30,000 is designated as agent to assist in the col-  
2 lection of the tax required to be levied under this chapter. The county  
3 assessor of each county is designated as agent to assist the department  
4 in administering the exemptions provided in this chapter.



(REPRINTED WITH ADOPTED AMENDMENTS)  
FIRST REPRINT

S. B. 52

SENATE BILL NO. 52—COMMITTEE ON TRANSPORTATION

JANUARY 21, 1981

Referred to Committee on Transportation

SUMMARY—Establishes schedule of fines for overloaded vehicles. (BDR 43-97)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to overweight vehicles; establishing minimum fines and enlarging the jurisdiction of the justices' courts; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

1 SECTION 1. NRS 484.757 is hereby amended to read as follows:  
2 484.757 1. Every person convicted of a violation of any [weight  
3 limitation provision of] *limitation of weight imposed by NRS 484.745*  
4 *to 484.755, inclusive,* [and every person, company, association or cor-  
5 poration, either personally or by his or its agent or employee, who is  
6 found guilty of violating any weight limitation of NRS 484.745 to 484-  
7 755, inclusive,] shall be punished by a fine as specified in the following  
8 table:

	[Pounds of Excess Weight	Fine
10	2,001- 2,500	\$20
11	2,501- 3,000	25
12	3,001- 3,500	30
13	3,501- 4,000	35
14	4,001- 4,500	40
15	4,501- 5,000	60
16	5,001- 5,500	80
17	5,501- 6,000	100
18	6,001- 6,500	120
19	6,501- 7,000	150
20	7,001- 7,500	175
21	7,501- 8,000	200
22	8,001- 8,500	225
23	8,501- 9,000	275
24	9,001- 9,500	325
25		

Pounds of Excess Weight	Fine
9,501-10,000	\$375
10,001-10,500	400
10,501-11,000	425
11,001-11,500	450
11,501-12,000	475
12,001 and over	500

2. The maximum fine under this section is \$500.]

Pounds of Excess Weight	Fine
1 to 2,500	\$25
2,501 to 5,000	2 cents per pound of excess weight
5,001 to 10,000	7 cents per pound of excess weight
10,001 and above	10 cents per pound of excess weight

2. If the resulting fine is not a whole number of dollars, the nearest whole number above the computed amount must be imposed as the fine.

3. The fines provided in this section are mandatory, must be collected immediately upon a determination of guilt, and must not be reduced under any circumstances by the court.

4. Any bail allowed must not be less than the appropriate fine provided for in this section.

SEC. 2. NRS 4.370 is hereby amended to read as follows:

4.370 1. Justices' courts have jurisdiction of the following actions and proceedings:

(a) In actions arising on contract for the recovery of money only, if the sum claimed, exclusive of interest, does not exceed \$750.

(b) In actions for damages for injury to the person, or for taking, detaining or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or possession of the real property, if the damage claimed does not exceed \$750.

(c) [In] Except as provided in paragraph (l), in actions for a fine, penalty or forfeiture not exceeding \$750, given by statute or the ordinance of an incorporated or unincorporated city where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll or municipal fine.

(d) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$750, though the penalty may exceed that sum.

(e) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed \$750.

(f) In actions to recover the possession of personal property if the value of such property does not exceed \$750.

(g) To take and enter judgment on the confession of a defendant, when the amount confessed, exclusive of interest, does not exceed \$750.

(h) Of actions for the possession of lands and tenements where the relation of landlord and tenant exists.

(i) Of actions when the possession of lands and tenements has been

1 unlawfully or fraudulently obtained or withheld, in which case the pro-  
 2 ceeding must be as prescribed by NRS upon that subject.

3 (j) Of suits for the collection of taxes, where the amount of the tax  
 4 sued for does not exceed \$750.

5 (k) Concurrent jurisdiction with the district courts of actions for  
 6 the enforcement of mechanics' liens, where the amount of the lien sought  
 7 to be enforced, exclusive of interest, does not exceed \$750.

8 (l) *In actions for a fine imposed for a violation of NRS 484.757.*

9 2. The jurisdiction conferred by this section does not extend to civil  
 10 actions in which the title of real property or mining claims or questions  
 11 affecting the boundaries of land are involved; and if questions of title  
 12 to real property are involved, cases involving such questions must be  
 13 disposed of as provided in NRS.

14 3. Justices' courts have jurisdiction of the following public offenses,  
 15 committed within the respective counties in which those courts are estab-  
 16 lished:

17 (a) Petit larceny.

18 (b) Assault and battery constituting a misdemeanor.

19 (c) Breaches of the peace, riots, affrays, committing a willful injury  
 20 to property, and, *except as enlarged by paragraph (d)*, all misdemeanors  
 21 punishable by fine not exceeding \$500, or imprisonment not exceeding  
 22 6 months, or by both such fine and imprisonment.

23 (d) *Violation of any limitation of weight imposed by NRS 484.745 to*  
 24 *484.755, inclusive, without regard to the amount of the fine to be*  
 25 *imposed.*

26 4. Except as provided in subsections 5 and 6, in criminal cases the  
 27 jurisdiction of justices of the peace extends to the limits of their respec-  
 28 tive counties.

29 5. In the case of any arrest made by a member of the Nevada high-  
 30 way patrol or by an inspector or field agent of the motor carrier division  
 31 of the department of motor vehicles, the jurisdiction of the justices of the  
 32 peace extends to the limits of their respective counties and to the limits of  
 33 all counties which have common boundaries with their respective coun-  
 34 ties.

35 6. Each justice's court has jurisdiction of any violation of a regula-  
 36 tion governing vehicular traffic on an airport within the township in  
 37 which the court is established.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 41

## ASSEMBLY BILL NO. 41—COMMITTEE ON JUDICIARY

JANUARY 26, 1981

Referred to Committee on Judiciary

SUMMARY—Provides penalty for failure to obtain permit for flashing amber warning lights. (BDR 43-291)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to traffic laws; providing a penalty for failure to obtain a permit for mounting flashing amber warning lights and for their improper use; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 484.579 is hereby amended to read as follows:  
 2 484.579 1. *It is unlawful to operate or display a flashing amber*  
 3 *warning light on a vehicle except when an unusual traffic hazard exists.*  
 4 *This subsection does not prohibit the use of amber lights in electric turn*  
 5 *signals.*  
 6 2. *It is unlawful for any person to mount flashing amber warning*  
 7 *lights permanently on a vehicle without a permit from the Nevada high-*  
 8 *way patrol.*  
 9 3. The Nevada highway patrol, upon written application, shall issue  
 10 a permit *[[for the operation of]] to mount a flashing amber light* *[[for the*  
 11 *following:]] on:*  
 12 (a) Public utility vehicles.  
 13 (b) Tow trucks.  
 14 (c) Vehicles engaged in activities which create a public hazard upon  
 15 the streets or highways.  
 16 (d) Vehicles of coroners and their deputies.  
 17 (e) Vehicles of Civil Air Patrol rescue units.  
 18 (f) Vehicles of authorized sheriffs' jeep squadrons.  
 19 [2.] 4. Such permits expire on June 30 of each calendar year.  
 20 [3.] 5. The Nevada highway patrol shall charge and collect the fol-  
 21 lowing fees for the issuance of a permit for the operation of a flashing  
 22 amber light:

- 1 (a) Permit for a single vehicle..... \$2
- 2 (b) Blanket permit for more than 5 but less than 15 vehicles..... 12
- 3 (c) Blanket permit for 15 vehicles or more..... 24
- 4 [4. Subsection 3 does] 6. Subsections 1 and 2 do not apply to
- 5 an agency of any state or political subdivision thereof, or to an agency
- 6 of the United States Government.
- 7 [5.] 7. All fees collected by the Nevada highway patrol pursuant to
- 8 this section [shall] *must* be deposited with the state treasurer for credit
- 9 to the motor vehicle fund.
- 10 Sec. 2. NRS 484.581 is hereby repealed.

**S. B. 156**

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**SENATE BILL NO. 156—COMMITTEE ON  
TRANSPORTATION**

**JANUARY 30, 1981**

**Referred to Committee on Transportation**

**SUMMARY—Removes statute made obsolete by repeal of federal law relating to the public domain. (BOR 35-43)**

**FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**

**EXPLANATION—Matter in *italics* is new; matter in brackets ( ) is material to be omitted.**

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**AN ACT relating to highways; removing a statute which authorized acceptance of certain rights of way and which was made obsolete by the repeal of a federal law concerning the public domain; and providing other matters properly relating thereto.**

***The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:***

- 1 SECTION 1. NRS 408.483 is hereby repealed.**  
**2 SEC. 2. This act shall become effective upon passage and approval.**



**March 12, 1981**

**SECTION 1. Chapter 482 of NRS is hereby amended by adding thereto a new section which shall read as follows:**

**If a properly issued registration and license plate is allowed to remain expired for a continuous period in excess of eighteen months, the Department may issue replacement plates bearing the same codes to a new applicant upon payment of the duplicate plate fees specified in 482.500, without notice to the previous registrant.**

Suggested Amendments

EXHIBIT I

March 10, 1981

Section 1, line 4: add after cars and trucks

Section 1, line 6: add after car and truck

Section 1, line 8: add after (a) a space for

Delete after county (from which the plate was issued)

Section 1, line 11: add after car or truck

Replace July 1, 1981 with on or after

January 1, 1982

Page 3, beginning on line 11, add new language:

Section 3, Chapter 482 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The director shall order the preparation of reflectorized decal strips to fit in the space on the license plates described in Section 1. The decal strips shall display the name of a county in prominent block lettering.

2. County name decals shall be available for sale in every office where motor vehicle license plates are available, upon request in person or by mail.

Section 4. NRS 482.500 is hereby amended to read as follows:

482.500

1. Except as provided in subsection 2, whenever any duplicate or substitute certificate of registration or ownership, decal or number plate is issued upon application, the following fees shall be paid:

For a certificate of registration or ownership.....	\$2.00
For every substitute number plate.....	2.00
For every duplicate number plate.....	7.50

For every decal (license plate sticker or tab).....\$1.00  
For every county name decal ..... .50

2. A fee of \$2 shall be paid for a duplicate plate of a special plate issued pursuant to NRS 482.3667, 482.375, 482.376 or 482.380. A fee shall not be charged for a duplicate plate or plates issued under NRS 482.368, 482.370, 482.373 or 482.374.

3. The fee which is paid for a duplicate number plate and for each county name decal shall be deposited to the state treasurer for credit to the motor vehicle fund and allocated to the department to defray the costs of duplicating the plate and manufacturing the county name decals.

Section 4. NRS 482.273 is hereby repealed.

Section 5. This act shall become effective upon January 1, 1982.

S. B. 298

## SENATE BILL NO. 298—COMMITTEE ON TRANSPORTATION

FEBRUARY 25, 1981

Referred to Committee on Transportation

SUMMARY—Makes nonresident manufacturers eligible for special license plates. (BDR 43-760)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.~~EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.~~

AN ACT relating to motor vehicles; making nonresident manufacturers eligible for special license plates; exempting them from bonding provisions; and providing other matters properly relating thereto.

*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 the provisions set forth as sections 2 to 4, inclusive, of this act.

3 SEC. 2. "Distributor" means a person, other than a manufacturer,  
4 who is engaged in the business of selling new motor vehicles to dealers.

5 SEC. 3. "Franchise" means a written agreement between a manu-  
6 facturer or distributor and a dealer by which:

7 1. A commercial relationship of definite duration or continuing indefi-  
8 nite duration is established.

9 2. The dealer is granted the right to offer and sell at retail new motor  
10 vehicles, other than motorcycles, mopeds, farm tractors or special mobile  
11 equipment.

12 3. The dealer constitutes a component of a distribution system for  
13 new motor vehicles.

14 4. The operation of the dealer's business is substantially associated  
15 with the trade-mark, trade name, advertising or other commercial symbol  
16 designating a manufacturer or distributor.

17 5. The operation of a portion of the dealer's business is substantially  
18 reliant on the manufacturer or distributor for a continued supply of new  
19 motor vehicles, parts and accessories.

20 SEC. 4. 1. In lieu of a bond an applicant may deposit with the  
21 department, under terms prescribed by the department:

22 (a) A like amount of lawful money of the United States or bonds of the  
23 United States or of the State of Nevada of an actual market value of not  
24 less than the amount fixed by the department; or

1 (b) A savings certificate of a bank, building and loan association or  
2 savings and loan association situated in Nevada, which indicates an  
3 account of an amount equal to the amount of the bond which would  
4 otherwise be required by NRS 482.345 and that it is unavailable for with-  
5 drawal except upon order of the department. Interest earned on the  
6 amount accrues to the account of the applicant.

7 2. A deposit made pursuant to subsection 1 may be released upon  
8 receipt of:

9 (a) A court order requiring the director to release all or a specified por-  
10 tion of the deposit; or

11 (b) A statement signed by the person or persons under whose name  
12 the deposit is made and acknowledged before any person authorized to  
13 take acknowledgments in this state, requesting the director to release the  
14 deposit, or a specified portion thereof, and stating the purpose for which  
15 the release is requested.

16 3. When a deposit is made pursuant to subsection 1, liability under  
17 the deposit is in the amount prescribed by the department. If the amount  
18 of the deposit is reduced or there is an outstanding court judgment for  
19 which the licensee is liable under the deposit, the license is automatically  
20 suspended. The license must be reinstated if the licensee:

21 (a) Files an additional bond pursuant to subsection 1 of NRS 482.-  
22 345;

23 (b) Restores the deposit with the department to the original amount  
24 required under this section; or

25 (c) Satisfies the outstanding judgment for which he is liable under the  
26 deposit.

27 4. A deposit made pursuant to subsection 1 may be refunded:

28 (a) By order of the director, at the expiration of 3 years from the date  
29 when the licensee ceases to be licensed by the department, if the director  
30 is satisfied that there are no outstanding claims against the deposit; or

31 (b) By order of court, at any time prior to the expiration of 3 years  
32 from the date the licensee ceases to be licensed by the department, upon  
33 evidence satisfactory to the court that there are no outstanding claims  
34 against the deposit.

35 5. Any money received by the department pursuant to subsection 1  
36 must be deposited with the state treasurer for credit to the motor vehicle  
37 fund.

38 SEC. 5. NRS 482.010 is hereby amended to read as follows:

39 482.010 As used in this chapter unless the context otherwise  
40 requires, the words and terms defined in NRS 482.011 to 482.135, inclu-  
41 sive, and sections 2 and 3 of this act, have the meanings ascribed to them  
42 in those sections.

43 SEC. 6. NRS 482.320 is hereby amended to read as follows:

44 482.320 1. A manufacturer, dealer or rebuilder having an estab-  
45 lished place of business in this state, or a manufacturer who has executed  
46 a franchise with a dealer or distributor having an established place of  
47 business in this state, and owning or controlling any new or used vehicle  
48 of a type otherwise required to be registered under the provisions of this  
49 chapter, may operate or move [such] that vehicle if there is displayed

1 thereon a special plate or plates issued to [such] the manufacturer,  
2 dealer or rebuilder as provided in NRS 482.330. Such a vehicle may also  
3 be moved or operated for the purpose of towing other vehicles which are  
4 to be sold or exchanged, or stored for the purpose of sale or exchange.

5 2. The provisions of this section do not apply to:

6 (a) Work or service vehicles owned or controlled by a manufacturer,  
7 dealer or rebuilder.

8 (b) Vehicles leased by dealers, except vehicles rented or leased to  
9 vehicle salesman in the course of their employment.

10 Sec. 7. NRS 482.325 is hereby amended to read as follows:

11 482.325 1. Applications for a manufacturer's, dealer's or rebuild-  
12 er's license [shall] *must* be filed upon forms supplied by the department,  
13 and the applicant shall furnish:

14 (a) Such proof as the department may deem necessary that the appli-  
15 cant is a manufacturer, dealer or rebuilder.

16 (b) A fee of \$25.

17 2. Upon receipt of [such] the application and when satisfied that the  
18 applicant is entitled thereto, the department shall issue to the applicant  
19 a dealer's, manufacturer's or rebuilder's license certificate containing the  
20 latter's name and the address of his established place of business [.] or  
21 *the address of the main office of a manufacturer without an established*  
22 *place of business in this state.*

23 3. Licenses issued pursuant to this section [shall] expire on Decem-  
24 ber 31 of each year. [Prior to] *Before* December 31 of each year,  
25 [licensees shall] *a licensee must* furnish the department with an applica-  
26 tion for renewal of [such] *his* license accompanied by an annual fee of  
27 \$25. The renewal application [shall] *must* be provided by the depart-  
28 ment and [shall] contain information required by the department.

29 Sec. 8. NRS 482.345 is hereby amended to read as follows:

30 482.345 1. [Before] *Except as provided in subsection 6, before* any  
31 dealer's license, dealer's plate, special dealer's plate or rebuilder's license  
32 or rebuilder's plate is furnished to a manufacturer, dealer or rebuilder as  
33 provided in this chapter, the department shall require that the applicant  
34 make application for a dealer license and dealer plate or a rebuilder  
35 license and rebuilder plate upon a form to be furnished by the depart-  
36 ment, and the applicant shall furnish such information as the department  
37 may require, including proof that the applicant has an established place  
38 of business in this state, and also, except as provided in subsection 2,  
39 procure and file with the department a good and sufficient bond in the  
40 amount of \$10,000 with a corporate surety thereon, duly licensed to do  
41 business within the State of Nevada, approved as to form by the attorney  
42 general, and conditioned that the applicant shall conduct his business  
43 as a dealer or rebuilder without fraud or fraudulent representation, and  
44 without violation of the provisions of this chapter. The department may,  
45 by agreement with any dealer or rebuilder who has been in business for  
46 5 years or more, allow a reduction in the amount of the bond of [such]  
47 *the dealer, if [the business of such dealer or rebuilder] his business has*  
48 *been conducted satisfactorily for the preceding 5 years, but no bond may*  
49 *be in an amount less than \$1,000.*

1 2. A manufacturer or dealer who manufactures or sells only motor-  
2 cycles, horse trailers, tent trailers, utility trailers or trailers designed to  
3 carry boats shall file a bond as required by subsection 1 in the amount  
4 of \$1,000 regardless of the length of time he has been in business.

5 3. The bond [shall] *must* be continuous in form and the total  
6 aggregate liability on the bond [shall] *must* be limited to the payment  
7 of the total amount of the bond, but in no case may the amount of any  
8 judgment in an action on such a bond exceed the retail value of any  
9 vehicle in connection with which the action was brought.

10 4. The undertaking on the bond [shall be deemed to include and  
11 shall include] *includes* any fraud or fraudulent representation or viola-  
12 tion of any of the provisions of this chapter by the salesman of any  
13 licensed dealer or rebuilder acting for the dealer or rebuilder on his  
14 behalf and within the scope of the employment of [such] *the* salesman.

15 5. The bond [shall] *must* provide that any person injured by the  
16 action of the dealer, rebuilder or salesman in violation of any provisions  
17 of this chapter may bring an action on the bond.

18 6. [In lieu of a bond an applicant may deposit with the department,  
19 under terms prescribed by the department:

20 (a) A like amount of lawful money of the United States or bonds of  
21 the United States or of the State of Nevada of an actual market value of  
22 not less than the amount fixed by the department; or

23 (b) A savings certificate of a bank, building and loan association or  
24 savings and loan association situated in Nevada, which indicates an  
25 account of an amount equal to the amount of the bond which would  
26 otherwise be required by this section and that such amount is unavailable  
27 for withdrawal except upon order of the department. Interest earned on  
28 such amount shall accrue to the account of the applicant.

29 7. A deposit made pursuant to subsection 6 of this section may be  
30 released upon receipt of:

31 (a) A court order requiring the director to release all or a specified  
32 portion of the deposit; or

33 (b) A statement signed by the person or persons under whose name  
34 the deposit is made and acknowledged before any person authorized to  
35 take acknowledgments in this state, requesting the director to release the  
36 deposit, or a specified portion thereof, and stating the purpose for which  
37 the release is requested.

38 8. When a deposit is made pursuant to subsection 6, liability under  
39 the deposit is in the amount prescribed by the department. If the amount  
40 of the deposit is reduced or there is an outstanding court judgment for  
41 which the licensee is liable under the deposit, the license is automatically  
42 suspended. The license shall be reinstated if the licensee:

43 (a) Files an additional bond pursuant to subsection 1;

44 (b) Restores the deposit with the department to the original amount  
45 required under this section; or

46 (c) Satisfies the outstanding judgment for which he is liable under the  
47 deposit.

48 9. A deposit made pursuant to subsection 6 may be refunded:

49 (a) By order of the director, at the expiration of 3 years from the date

1 when the licensee ceases to be licensed by the department, if the director  
2 is satisfied that there are no outstanding claims against the deposit; or  
3 (b) By order of court, at any time prior to the expiration of 3 years  
4 from the date the licensee ceases to be licensed by the department, upon  
5 evidence satisfactory to the court that there are no outstanding claims  
6 against the deposit.

7 10. Any money received by the department pursuant to subsection 6  
8 shall be deposited with the state treasurer for credit to the motor vehicle  
9 fund. *The provisions of this section do not apply to a manufacturer with-*  
10 *out an established place of business in this state.*

11 SEC. 9. NRS 482.36311 is hereby amended to read as follows:  
12 482.36311 As used in NRS 482.36311 to 482.36425, inclusive,  
13 unless the context otherwise requires, the words and terms defined in  
14 NRS [482.36317] 482.36319 to 482.36345, inclusive, have the mean-  
15 ings ascribed to them in those sections.

16 SEC. 10. NRS 482.36317 and 482.36323 are hereby repealed.



**S. B. 200**

**SENATE BILL NO. 200.—COMMITTEE ON TRANSPORTATION**

**FEBRUARY 9, 1981.**

**Referred to Committee on Transportation**

**SUMMARY—Levies tax on wholesale price of motor vehicle fuel.  
(RDR 32-669)**

**FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**

**EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.**

**AN ACT relating to motor vehicle fuel taxes; imposing tax on the wholesale price of fuel for motor vehicles; and providing other matters properly relating thereto.**

***The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:***

- 1     **SECTION 1.** Chapter 365 of NRS is hereby amended by adding
- 2     thereto a new section which shall read as follows:
- 3     1. *In addition to any other tax provided for in this chapter, there is*
- 4     *hereby levied an excise tax of 4 percent of the amount of the sale on the*
- 5     *wholesale price of motor vehicle fuel.*
- 6     2. *This tax must be accounted for by each dealer and must be col-*
- 7     *lected in the manner provided in this chapter. The tax must be paid to*
- 8     *the department and delivered by the department to the state treasurer.*
- 9     **SEC. 2.** Chapter 366 of NRS is hereby amended by adding thereto a
- 10    new section which shall read as follows:
- 11    1. *In addition to any other tax provided for in this chapter, there is*
- 12    *hereby levied an excise tax of 4 percent of the amount of the sale on the*
- 13    *wholesale price of special fuel.*
- 14    2. *This tax must be accounted for by each dealer and must be col-*
- 15    *lected in the manner provided in this chapter. The tax must be paid to*
- 16    *the department and delivered by the department to the state treasurer.*

**S. J. R. 24****SENATE JOINT RESOLUTION NO. 24—SENATORS HERNSTADT, GETTO, RAGGIO, McCORKLE, BLAKEMORE, DON ASHWORTH, KEITH ASHWORTH, BILBRAY AND GLASER**

FEBRUARY 25, 1981

Referred to Committee on Transportation

**SUMMARY—**Memorializes Congress to permit states to set speed limits on highways. (BDR 927)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**EXPLANATION—**Matter in italics is new; matter in brackets ( ) is material to be omitted.**SENATE JOINT RESOLUTION—**Memorializing Congress to permit each state to set the maximum speed limits for the highways of the state.

- 1     **WHEREAS,** The Congress of the United States has set a national speed  
2 limit of 55 miles per hour, which was presented to the people of the  
3 United States as a measure to conserve fuel; and  
4     **WHEREAS,** There is no scientifically credible evidence that the speed  
5 limit has acted to conserve fuel, even in the few places and at the few  
6 times in which it is observed; and  
7     **WHEREAS,** Matters relating to the control of traffic on highways, includ-  
8 ing the limitations placed on its speed, have always been concerns of the  
9 states in which the Federal Government has not interfered; and  
10    **WHEREAS,** The new administration in Washington has pledged itself to  
11 a policy of noninterference in matters which are properly within the prov-  
12 ince of the states, a policy which should be directly opposed to withhold-  
13 ing highway aid to states on the basis that they have not enforced federal  
14 measures which are more properly the concern of the states; now, there-  
15 fore, be it  
16    *Resolved by the Senate and Assembly of the State of Nevada, jointly,*  
17 That the Congress of the United States is urged to take immediate action  
18 to restore to the states their proper powers in the matter of regulation of  
19 traffic on the highways by removing the so-called "national speed limit";  
20 and be it further  
21    *Resolved,* That the legislative counsel transmit copies of this resolution  
22 to the Vice President of the United States as President of the Senate, to  
23 the Speaker of the House of Representatives, and to all members of the  
24 congressional delegation; and be it further  
25    *Resolved,* That this resolution shall become effective upon passage and  
26 approval.

S. C. R. 7

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**SENATE CONCURRENT RESOLUTION NO. 7—  
COMMITTEE ON TRANSPORTATION**

JANUARY 21, 1981

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Referred to Committee on Transportation

**SUMMARY—**Directs study of feasibility of special permits for overloaded vehicles. (BDR 99)

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EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.

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**SENATE CONCURRENT RESOLUTION—**Directing the legislative commission to study the feasibility of allowing special permits for overloaded vehicles as well as excessive height and width.

- 1    **WHEREAS,** The present statutes governing special permits contain an  
2 absolute limit upon permissible weight in excess of the normal maximum;  
3 and  
4    **WHEREAS,** The purpose of load limits is to preserve the highways of the  
5 state; and  
6    **WHEREAS,** Emergency situations clearly exist in which an indivisible  
7 load exceeds the appropriate limits which have been set, but the most  
8 feasible means of transportation is to use the highways of the state; and  
9    **WHEREAS,** There are few railroad lines within the state and many areas  
10 are not served by railroad lines; now, therefore, be it  
11    *Resolved by the Senate of the State of Nevada, the Assembly concur-*  
12 *ring,* That the legislative commission is hereby directed to study the feasi-  
13 bility of issuing special permits for overloaded vehicles without an  
14 absolute statutory limit; and be it further  
15    *Resolved,* That the legislative commission submit a report of its find-  
16 ings and recommendations to the 62d session of the Nevada legislature.

S. B. 80

SENATE BILL NO. 80—COMMITTEE ON FINANCE

JANUARY 27, 1981

Referred to Committee on Transportation

SUMMARY—Provides for increases in certain fees of department of motor vehicles. (BDR 43-288)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the department of motor vehicles; providing for increases in fees for service of process and licenses; providing for charging fees for publications; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 481.063 is hereby amended to read as follows:  
 2 481.063 1. The director may charge and collect reasonable fees for  
 3 *official publications of the department and from persons making use of*  
 4 *files and records of the department or its various divisions for a private*  
 5 *purpose.*  
 6 2. All money so collected must be deposited in the state treasury for  
 7 credit to the motor vehicle fund.  
 8 3. Information taken from the files and records of the department  
 9 must not be used in the solicitation of persons for the purpose of selling  
 10 or attempting to sell any product or service.  
 11 SEC. 2. NRS 483.410 is hereby amended to read as follows:  
 12 483.410 1. For every driver's license, *including a motorcycle driver's*  
 13 *license, issued and service performed the following fees must be charged:*  
 14 A license issued to a person 70 years of age or older..... \$2  
 15 [A] An original license issued to any other person..... [5] 11  
 16 A renewal license issued to any other person..... 9  
 17 Reinstatement of a license after suspension, revocation or  
 18 cancellation..... [5] 20  
 19 A duplicate license, new photograph, change of name, change  
 20 of address or any combination..... [1] 3  
 21 2. For every motorcycle endorsement to a driver's license a [\$2]  
 22 \$3 fee must be charged.  
 23 3. The increase in fees authorized by NRS 483.347 must be paid in  
 24 addition to the fees charged pursuant to subsections 1 and 2.

1 4. A penalty of \$5 must be paid by each person renewing his license  
2 after it has expired for a period of 30 days or more as provided in NRS  
3 483.380 unless exempt under NRS 483.380.

4 5. All fees and penalties are payable to the administrator at the time  
5 a license or a renewal license is issued.

6 6. All money collected by the department under this chapter must be  
7 deposited in the state treasury for credit to the motor vehicle fund. When  
8 directed by the department, the state controller shall transfer on a semi-  
9 monthly basis to the state general fund all money collected under this  
10 chapter except the increase in fees authorized by NRS 483.347.

11 SEC. 3. NRS 486.161 is hereby amended to read as follows:

12 486.161 1. Except as provided in subsection 2, every motorcycle  
13 driver's license [shall expire in the case of a person 70 years of age or  
14 older on the second anniversary and in the case of all other persons]  
15 expires on the fourth anniversary of the licensee's birthday, measured in  
16 the case of an original license, a renewal license or a license renewing an  
17 expired license, from the birthday nearest the date of issuance or renewal.  
18 Any applicant whose date of birth was on February 29 [shall] *is*, for the  
19 purposes of NRS 486.011 to 486.381, inclusive, [be] considered to have  
20 the anniversary of his birth fall on February 28. Every license [shall be]  
21 *is* renewable on or during a 90-day period before its expiration upon  
22 application and payment of the required fee, and except as provided in  
23 subsection 2 of NRS 486.131, each applicant for renewal shall appear  
24 before a driver's license examiner and successfully pass a test of his eye-  
25 sight. Every motorcycle endorsement to a driver's license issued on or  
26 after January 1, 1972, [shall expire] *expires* simultaneously with the  
27 expiration of the driver's license.

28 2. [Every license issued before January 1, 1972, authorizing a person  
29 to drive a power cycle shall be valid for driving a power cycle and every  
30 such license authorizing a person to drive a motorcycle shall be valid for  
31 driving a motorcycle until its normal expiration.

32 3.] Any person who has been issued a driver's license without having  
33 the authority to drive a motorcycle or power cycle endorsed thereon shall,  
34 before driving a motorcycle, [as defined in NRS 486.041,] successfully  
35 pass a driving test conducted by the department [, pay a fee of \$2] and  
36 have [such] *the* authority endorsed upon [such] *his* license.

37 [4.] 3. As used in this section, "power cycle" means every motor  
38 vehicle equipped with a seat or saddle for the use of the driver designed  
39 to travel on not more than three wheels in contact with the ground and  
40 propelled by a motor of 70 cc. displacement or less which produces 6½  
41 horsepower or less.

42 SEC. 4. NRS 14.070 is hereby amended to read as follows:

43 14.070 1. The use and operation of a motor vehicle over the public  
44 roads, streets or highways, or in any other area open to the public and  
45 commonly used by motor vehicles, in the State of Nevada by any person,  
46 either as principal, master, agent or servant, shall be deemed an appoint-  
47 ment by [such] *the* operator, on behalf of himself and his principal or  
48 master, his executor, administrator or personal representative, of the  
49 director of the department of motor vehicles to be his true and lawful

1 attorney upon whom may be served all legal process in any action or  
2 proceeding against him, his principal or master, his executor, adminis-  
3 trator or personal representative, growing out of such use or resulting  
4 in damage or loss to person or property, and the use or operation [shall  
5 be a signification of] signifies his agreement that any such process against  
6 him which is so served [shall be of] has the same legal force and valid-  
7 ity as though served upon him personally within the State of Nevada.

8 2. Service of [such] process [shall] must be made by leaving a copy  
9 of the process with a fee of [\$2] \$5 in the hands of the director of the  
10 department of motor vehicles or in his office, and such service shall be  
11 deemed sufficient upon the operator [; provided, that] if notice of  
12 [such] service and a copy of the process [shall forthwith be] is sent  
13 by registered or certified mail by the plaintiff to the defendant at the  
14 address supplied by the defendant in his accident report, if any, and if  
15 not, at the best address available to the plaintiff, and a return receipt  
16 signed by the defendant or a return of the Post Office Department stat-  
17 ing that the defendant refused to accept delivery or could not be located,  
18 or that the address was insufficient, and the plaintiff's affidavit of com-  
19 pliance therewith are attached to the original process and returned and  
20 filed in the action in which it was issued. Personal service of [such]  
21 notice and a copy of the process upon the defendant, wherever found  
22 outside of this state, by any person qualified to serve like process in the  
23 State of Nevada [shall be] is the equivalent of mailing, and [that such  
24 personal service] may be proved by the affidavit of the person making  
25 such personal service appended to the original process and returned and  
26 filed in the action in which it was issued.

27 3. The court in which the action is pending may order such con-  
28 tinuances as may be necessary to afford the defendant reasonable  
29 opportunity to defend the action.

30 4. The fee of [\$2] \$5 paid by the plaintiff to the director of the  
31 department of motor vehicles at the time of the service [shall] must be  
32 taxed in his costs if he prevails in the suit. The director of the depart-  
33 ment of motor vehicles shall keep a record of all [such] service of  
34 process [which shall show] the day and hour of service.

35 5. The foregoing provisions of this section with reference to the  
36 service of process upon [such] an operator defendant [shall not be  
37 deemed] are not exclusive, but if [such] the operator defendant is found  
38 within the State of Nevada he [shall] must be served with process in  
39 the State of Nevada.

40 6. The provisions of this section apply to nonresident motorists and  
41 to resident motorists who have left the state or cannot be found within  
42 the state following an accident which is the subject of an action for  
43 which process is served pursuant to this section.