

ASSEMBLY BILL NO. 30—ASSEMBLYWOMAN MCCLAIN

PREFILED JANUARY 29, 2003

Referred to Committee on Transportation

SUMMARY—Revises provisions regarding registration of motor vehicles. (BDR 43-67)

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 motor vehicles; making various changes to the provisions governing the registration of motor vehicles by new residents of this state and the issuance of drivers' licenses to such persons; revising the provision which directs the issuance of certain pro rata refunds for registrations transferred or cancelled under certain circumstances; 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 482.206 is hereby amended to read as follows:
2 482.206 1. Except as otherwise provided in this section,
3 every motor vehicle, except for a motor vehicle that is registered
4 pursuant to the provisions of NRS 706.801 to 706.861, inclusive, or
5 which is a motor vehicle with a declared gross weight in excess of
6 26,000 pounds, must be registered for a period of 12 consecutive
7 months beginning the day after the first registration by the owner in
8 this state.
9 2. Every vehicle registered by an agent of the Department or a
10 registered dealer must be registered for 12 consecutive months
11 beginning the first day of the month after the first registration by the
12 owner in this state.



1 3. Upon the application of the owner of a fleet of vehicles, the
2 Director may permit him to register his fleet on the basis of a
3 calendar year.

4 4. When the registration of any vehicle is transferred pursuant
5 to ~~the provisions of NRS 482.3667, 482.379 or~~ **NRS** 482.399, the
6 expiration date of each regular license plate, special license plate or
7 substitute decal must, at the time of the transfer of registration, be
8 advanced for a period of 12 consecutive months beginning:

9 (a) The first day of the month after the transfer, if the vehicle is
10 transferred by an agent of the Department; or

11 (b) The day after the transfer in all other cases,
12 and a credit on the portion of the fee for registration and the
13 governmental services tax attributable to the remainder of the
14 current period of registration **must be** allowed pursuant to
15 the applicable provisions of NRS ~~482.3667, 482.379 and~~ 482.399.

16 **Sec. 2.** NRS 482.260 is hereby amended to read as follows:

17 482.260 1. When registering a vehicle, the Department and
18 its agents or a registered dealer shall:

19 (a) Collect the fees for license plates and registration as
20 provided for in this chapter.

21 (b) ~~Collect~~ **Except as otherwise provided in NRS 482.321,**
22 **collect** the governmental services tax on the vehicle, as agent for the
23 county where the applicant intends to base the vehicle for the period
24 of registration, unless the vehicle is deemed to have no base.

25 (c) Collect the applicable taxes imposed pursuant to chapters
26 372, 374, 377 and 377A of NRS.

27 (d) Issue a certificate of registration.

28 (e) If the registration is performed by the Department, issue the
29 regular license plate or plates.

30 (f) If the registration is performed by a registered dealer, provide
31 information to the owner regarding the manner in which the regular
32 license plate or plates will be made available to him.

33 2. Upon proof of ownership satisfactory to the Director, he
34 shall cause to be issued a certificate of ownership as provided in this
35 chapter.

36 3. ~~Every~~ **Except as otherwise provided in NRS 371.070,**
37 **every** vehicle being registered for the first time in Nevada must be
38 taxed for the purposes of the governmental services tax for a
39 12-month period.

40 4. The Department shall deduct and withhold 2 percent of the
41 taxes collected pursuant to paragraph (c) of subsection 1 and remit
42 the remainder to the Department of Taxation.

43 5. A registered dealer shall forward all fees and taxes collected
44 for the registration of vehicles to the Department.



1 **Sec. 3.** NRS 482.3667 is hereby amended to read as follows:
2 482.3667 1. The Department shall establish, design and
3 otherwise prepare for issue personalized prestige license plates and
4 shall establish all necessary procedures not inconsistent with this
5 section for the application and issuance of such license plates.
6 2. The department shall issue personalized prestige license
7 plates, upon payment of the prescribed fee, to any person who
8 otherwise complies with the laws relating to the registration and
9 licensing of motor vehicles or trailers for use on private passenger
10 cars, motorcycles, trucks or trailers.
11 3. Personalized prestige license plates are valid for 12 months
12 and are renewable upon expiration. These plates may be transferred
13 from one vehicle or trailer to another if the transfer and registration
14 fees are paid as set out in this chapter. ~~Any person transferring~~
15 ~~plates must be allowed a 1/12 reduction in fees for each calendar~~
16 ~~month remaining unused from the previous registration, applicable~~
17 ~~to the fees which are for the registration year for which the plates~~
18 ~~are being transferred.]~~
19 4. In case of any conflict, the person who first made
20 application for personalized prestige license plates and has
21 continuously renewed them by payment of the required fee has
22 priority.
23 5. The Department may limit by regulation the number of
24 letters and numbers used and prohibit the use of inappropriate letters
25 or combinations of letters and numbers.
26 6. The Department shall not assign to any person not holding
27 the relevant office any letters and numbers denoting that the holder
28 holds a public office.
29 **Sec. 4.** NRS 482.379 is hereby amended to read as follows:
30 482.379 1. The Director may order the design and
31 preparation of license plates which commemorate the 125th
32 anniversary of Nevada's admission into the Union and establish the
33 procedures for the application and issuance of the plates.
34 2. The Department may designate any colors, numbers and
35 letters for the commemorative plates.
36 3. A person who is entitled to license plates pursuant to NRS
37 482.265 may apply for commemorative license plates.
38 4. The fee for the commemorative license plates is \$10, in
39 addition to all other applicable registration and license fees and
40 governmental services taxes. If a person is eligible for and applies
41 for any special license plates issued pursuant to NRS 482.3667,
42 482.3672, 482.3675, 482.368 or 482.370 to 482.3825, inclusive, and
43 applies to have those special license plates combined with
44 commemorative plates, the person must pay the fees for the special
45 license plates in addition to the fee for the commemorative plates.



1 5. In addition to all fees for the license, registration and
2 governmental services taxes, a person who is eligible for and applies
3 for commemorative plates must pay \$25 for the celebration of the
4 125th anniversary of Nevada's admission into the Union. The fees
5 for the license, registration, and governmental services taxes and the
6 charge for the celebration may be paid with a single check.

7 6. Commemorative plates are renewable upon the payment
8 of \$10.

9 7. If during a registration year, the holder of commemorative
10 plates issued pursuant to the provisions of this section disposes of
11 the vehicle to which the plates are affixed, he may retain the plates
12 and:

13 (a) Within 30 days after removing the plates from the vehicle,
14 return them to the Department; or

15 (b) Affix them to another vehicle which meets the requirements
16 of this section if the transfer and registration fees are paid as is
17 provided for in this chapter. ~~[A person who transfers plates must be
18 allowed a one twelfth reduction in fees for each calendar month
19 remaining unused from the previous registration.]~~

20 8. Except as otherwise provided by subsection 10, if a
21 commemorative license plate or set of license plates issued pursuant
22 to the provisions of this section is lost, stolen or mutilated, the
23 owner of the vehicle may secure a replacement license plate or set
24 of replacement license plates, as the case may be, from the
25 Department upon payment of the fees set forth in subsection 2 of
26 NRS 482.500.

27 9. The Department shall, for each set of commemorative
28 license plates that it issues:

29 (a) Deposit the \$25 collected for the celebration of the 125th
30 anniversary of Nevada's admission into the Union with the State
31 Treasurer for credit to the Account for Nevada's 125th Anniversary
32 in the State General Fund;

33 (b) Deposit \$7.50 with the State Treasurer for credit to the
34 Motor Vehicle Fund pursuant to the provisions of NRS 482.180;
35 and

36 (c) Deposit \$2.50 with the State Treasurer for credit to the
37 Department to reimburse the Department for the cost of
38 manufacturing the license plates.

39 10. The Department shall not:

40 (a) Issue the commemorative license plates after October 31,
41 1990.

42 (b) Issue replacement commemorative license plates after
43 June 30, 1995.



1 **Sec. 5.** NRS 482.385 is hereby amended to read as follows:
2 482.385 1. Except as otherwise provided in subsection 4 and
3 NRS 482.390, a nonresident owner of a vehicle of a type subject to
4 registration pursuant to the provisions of this chapter, owning any
5 vehicle which has been registered for the current year in the state,
6 country or other place of which the owner is a resident and which at
7 all times when operated in this state has displayed upon it the
8 registration license plate issued for the vehicle in the place of
9 residence of the owner, may operate or permit the operation of the
10 vehicle within this state without its registration in this state pursuant
11 to the provisions of this chapter and without the payment of any
12 registration fees to this state.
13 2. This section does not:
14 (a) Prohibit the use of manufacturers', distributors' or dealers'
15 license plates issued by any state or country by any nonresident in
16 the operation of any vehicle on the public highways of this state.
17 (b) Require registration of vehicles of a type subject to
18 registration pursuant to the provisions of this chapter operated by
19 nonresident common motor carriers of persons or property, contract
20 motor carriers of persons or property, or private motor carriers of
21 property as stated in NRS 482.390.
22 (c) Require registration of a vehicle operated by a border state
23 employee.
24 3. When a person ~~[, formerly a nonresident,]~~ becomes a
25 resident of this state, he shall ~~[-~~
26 ~~—(a) Within 30 days after becoming a resident; or~~
27 ~~—(b) At the time]~~ , *before* he obtains his driver's license,
28 ~~[whichever occurs earlier,]~~ apply for the registration of ~~[any vehicle~~
29 ~~which he owns and]~~ *each vehicle he owns* which is operated in this
30 state.
31 4. Any resident operating ~~[a motor vehicle]~~ upon a highway of
32 this state *a motor vehicle* which is owned by a nonresident and
33 which is furnished to the resident operator for his continuous use
34 within this state, shall cause that vehicle to be registered within 30
35 days after beginning its operation within this state.
36 5. A person registering a vehicle pursuant to the provisions of
37 subsection 3, 4 or 6 ~~[of this section]~~ or pursuant to NRS 482.390
38 ~~[must]~~ :
39 (a) *Must* be assessed the registration fees and governmental
40 services tax, as required by the provisions of this chapter and
41 chapter 371 of NRS ~~[- He must]~~ ; *and*
42 (b) *Must* not be allowed credit on those taxes and fees for the
43 unused months of his previous registration.
44 6. If a vehicle is used in this state for a gainful purpose, the
45 owner shall immediately apply to the Department for registration,



1 except as otherwise provided in NRS 482.390, 482.395 and 706.801
2 to 706.861, inclusive.

3 7. An owner registering a vehicle pursuant to the provisions of
4 this section shall surrender the existing nonresident license plates
5 and registration certificates to the Department for cancellation.

6 8. A vehicle may be cited for a violation of this section
7 regardless of whether it is in operation or is parked on a highway, in
8 a public parking lot or on private property which is open to the
9 public if, after communicating with the owner or operator of the
10 vehicle, the peace officer issuing the citation determines that:

11 (a) The owner of the vehicle is a resident of this state; or

12 (b) The vehicle is used in this state for a gainful purpose.

13 **Sec. 6.** NRS 482.399 is hereby amended to read as follows:

14 482.399 1. Upon the transfer of the ownership of or interest
15 in any vehicle by any holder of a valid registration, or upon
16 destruction of the vehicle, the registration expires.

17 2. The holder of the original registration may transfer the
18 registration to another vehicle to be registered by him and use the
19 same *regular* license plate or plates ~~thereon,~~ *or special license*
20 *plate or plates issued pursuant to NRS 482.3667 to 482.3823,*
21 *inclusive, or 482.384, on the vehicle from which the registration is*
22 *being transferred,* if the license plate or plates are appropriate for
23 the second vehicle, upon filing an application for transfer of
24 registration and upon paying the transfer registration fee and the
25 excess, if any, of the registration fee and governmental services tax
26 on the vehicle to which the registration is transferred over the total
27 registration fee and governmental services tax paid on all vehicles
28 from which he is transferring his ownership or interest. Except as
29 otherwise provided in NRS 482.294, an application for transfer of
30 registration must be made in person, if practicable, to any office or
31 agent of the Department or to a registered dealer, and the license
32 plate or plates may not be used upon a second vehicle until
33 registration of that vehicle is complete.

34 3. In computing the governmental services tax, the
35 Department, its agent or the registered dealer shall credit the portion
36 of the tax paid on the first vehicle attributable to the remainder of
37 the current registration period or calendar year on a pro rata monthly
38 basis against the tax due on the second vehicle or on any other
39 vehicle of which the person is the registered owner. If any person
40 transfers his ownership or interest in two or more vehicles, the
41 Department or the registered dealer shall credit the portion of the tax
42 paid on all of the vehicles attributable to the remainder of the
43 current registration period or calendar year on a pro rata monthly
44 basis against the tax due on the vehicle to which the registration is
45 transferred or on any other vehicle of which the person is the



1 registered owner. The certificates of registration and unused license
2 plates of the vehicles from which a person transfers his ownership or
3 interest must be submitted before credit is given against the tax due
4 on the vehicle to which the registration is transferred or on any other
5 vehicle of which the person is the registered owner.

6 ~~3.~~ 4. In computing the registration fee, the Department or its
7 agent or the registered dealer shall credit the portion of the
8 registration fee paid on each vehicle attributable to the remainder of
9 the current calendar year or registration period on a pro rata basis
10 against the registration fee due on the vehicle to which registration
11 is transferred.

12 5. If the amount owed on the registration fee or governmental
13 services tax on ~~that~~ *the vehicle to which registration is*
14 *transferred* is less than the credit on the total registration fee or
15 governmental services tax paid on all vehicles from which a person
16 transfers his ownership or interest, ~~the Department shall issue to the~~
17 ~~person a refund in an amount equal to the difference between the~~
18 ~~amount owed on the registration fee or governmental services tax on~~
19 ~~that vehicle and the credit on the total registration fee or~~
20 ~~governmental services tax paid on all vehicles from which a person~~
21 ~~transfers his ownership or interest.~~

22 ~~4.] no refund may be allowed by the Department.~~

23 6. If the license plate or plates are not appropriate for the
24 second vehicle, the plate or plates must be surrendered to the
25 Department or registered dealer and an appropriate plate or plates
26 must be issued by the Department. The Department shall not reissue
27 the surrendered plate or plates until the next succeeding licensing
28 period.

29 ~~5.] 7.~~ If application for transfer of registration is not made
30 within 60 days after the destruction or transfer of ownership of or
31 interest in any vehicle, the license plate or plates must be
32 surrendered to the Department on or before the 60th day for
33 cancelation of the registration.

34 8. If a person cancels his registration and surrenders to the
35 Department his license plates for a vehicle, the Department shall, *in*
36 *accordance with the provisions of subsection 9*, issue to the person
37 a refund of the portion of the registration fee and governmental
38 services tax paid on the vehicle attributable to the remainder of the
39 current calendar year or registration period on a pro rata basis.

40 9. *The Department shall issue a refund pursuant to*
41 *subsection 8 only if the request for a refund is made at the time the*
42 *registration is cancelled and the license plates are surrendered, the*
43 *person requesting the refund is a resident of Nevada, the amount*
44 *eligible for refund exceeds \$100, and evidence satisfactory to the*
45 *Department is submitted that reasonably proves the existence of*



1 *extenuating circumstances. For the purposes of this subsection,*
2 *the term “extenuating circumstances” means circumstances*
3 *wherein:*

4 (a) *The person has recently relinquished his driver’s license*
5 *and has sold or otherwise disposed of his vehicle.*

6 (b) *The vehicle has been determined to be inoperable and the*
7 *person does not transfer the registration to a different vehicle.*

8 (c) *The owner of the vehicle is seriously ill or has died and the*
9 *guardians or survivors have sold or otherwise disposed of the*
10 *vehicle.*

11 (d) *Any other event occurs which the Department, by*
12 *regulation, has defined to constitute an “extenuating*
13 *circumstance” for the purposes of this subsection.*

14 **Sec. 7.** NRS 483.245 is hereby amended to read as follows:

15 483.245 1. When a person becomes a resident of Nevada as
16 defined in this chapter and chapter 482 of NRS he must, within 30
17 days, obtain a Nevada driver’s license as a prerequisite to driving
18 any motor vehicle in the State of Nevada.

19 2. Where a person who applies for a license *provides the*
20 *documentation required pursuant to subsection 2 of NRS 483.250*
21 *and* has a valid driver’s license from a state which has requirements
22 for issuance of drivers’ licenses comparable to those of the State of
23 Nevada, the Department may issue a Nevada license under the same
24 terms and conditions applicable to a renewal of a license in this
25 state.

26 3. In carrying out the provisions of this chapter, the Director is
27 authorized to enter into reciprocal agreements with appropriate
28 officials of other states concerning the licensing of drivers of motor
29 vehicles.

30 **Sec. 8.** NRS 483.250 is hereby amended to read as follows:

31 483.250 The Department shall not issue any license pursuant to
32 the provisions of NRS 483.010 to 483.630, inclusive:

33 1. To any person who is under the age of 18 years, except that
34 the Department may issue:

35 (a) A restricted license to a person between the ages of 14 and
36 18 years pursuant to the provisions of NRS 483.267 and 483.270.

37 (b) An instruction permit to a person who is at least 15 1/2 years
38 of age pursuant to the provisions of subsection 1 of NRS 483.280.

39 (c) A restricted instruction permit to a person under the age of
40 18 years pursuant to the provisions of subsection 3 of NRS 483.280.

41 (d) Except as otherwise provided in paragraph (e), a license to a
42 person between the ages of 15 3/4 and 18 years if:

43 (1) He has completed a course:

44 (I) In automobile driver education pursuant to NRS
45 389.090; or



- 1 (II) Provided by a school for training drivers licensed
2 pursuant to NRS 483.700 to 483.780, inclusive, if the course
3 complies with the applicable regulations governing the
4 establishment, conduct and scope of automobile driver education
5 adopted by the State Board of Education pursuant to NRS 389.090;
- 6 (2) He has at least 50 hours of experience in driving a motor
7 vehicle with a restricted license, instruction permit or restricted
8 instruction permit issued pursuant to NRS 483.267, 483.270 or
9 483.280;
- 10 (3) His parent or legal guardian signs and submits to the
11 Department a form provided by the Department which attests that
12 the person who wishes to obtain the license has completed the
13 training and experience required by subparagraphs (1) and (2); and
- 14 (4) He has held an instruction permit for at least:
- 15 (I) Ninety days before he applies for the license, if he was
16 under the age of 16 years at the time he obtained the instruction
17 permit;
- 18 (II) Sixty days before he applies for the license, if he was
19 at least 16 years of age but less than 17 years of age at the time he
20 obtained the instruction permit; or
- 21 (III) Thirty days before he applies for the license, if he
22 was at least 17 years of age but less than 18 years of age at the time
23 he obtained the instruction permit.
- 24 (e) A license to a person who is between the ages of 15 3/4 and
25 18 years if:
- 26 (1) The public school in which he is enrolled is located in a
27 county whose population is less than 50,000 or in a city or town
28 whose population is less than 25,000;
- 29 (2) The public school does not offer automobile driver
30 education;
- 31 (3) He has at least 50 hours of experience in driving a motor
32 vehicle with a restricted license, instruction permit or restricted
33 instruction permit issued pursuant to NRS 483.267, 483.270 or
34 483.280;
- 35 (4) His parent or legal guardian signs and submits to the
36 Department a form provided by the Department which attests that
37 the person who wishes to obtain the license has completed the
38 experience required by subparagraph (3); and
- 39 (5) He has held an instruction permit for at least:
- 40 (I) Ninety days before he applies for the license, if he was
41 under the age of 16 years at the time he obtained the instruction
42 permit;
- 43 (II) Sixty days before he applies for the license, if he was
44 at least 16 years of age but less than 17 years of age at the time he
45 obtained the instruction permit; or



1 (III) Thirty days before he applies for the license, if he
2 was at least 17 years of age but less than 18 years of age at the time
3 he obtained the instruction permit.

4 2. *To any person who is a new resident of this state unless the*
5 *person provides to the Department:*

6 (a) *Proof that he has registered each vehicle he owns which is*
7 *operated in this state, as required by NRS 482.385; or*

8 (b) *A signed affidavit in which he:*

9 (1) *Attests that he does not own any vehicle which is*
10 *operated in this state; or*

11 (2) *Sets forth facts which show that he is, in accordance*
12 *with the laws of this state, exempt from the requirement to register*
13 *each vehicle he owns which is operated in this state.*

14 3. To any person whose license has been revoked until the
15 expiration of the period during which he is not eligible for a license.

16 ~~[3-]~~ 4. To any person whose license has been suspended, but
17 upon good cause shown to the Administrator, the Department may
18 issue a restricted license to him or shorten any period of suspension.

19 ~~[4-]~~ 5. To any person who has previously been adjudged to be
20 afflicted with or suffering from any mental disability or disease and
21 who has not at the time of application been restored to legal
22 capacity.

23 ~~[5-]~~ 6. To any person who is required by NRS 483.010 to
24 483.630, inclusive, to take an examination, unless he has
25 successfully passed the examination.

26 ~~[6-]~~ 7. To any person when the Administrator has good cause
27 to believe that by reason of physical or mental disability that person
28 would not be able to operate a motor vehicle safely.

29 ~~[7-]~~ 8. To any person who is not a resident of this state.

30 ~~[8-]~~ 9. To any child who is the subject of a court order issued
31 pursuant to paragraph (h) of subsection 1 of NRS 62.211, NRS
32 62.2255, 62.226 or 62.228 which delays his privilege to drive.

33 ~~[9-]~~ 10. To any person who is the subject of a court order
34 issued pursuant to NRS 206.330 which suspends or delays his
35 privilege to drive until the expiration of the period of suspension or
36 delay.

37 **Sec. 9.** NRS 371.070 is hereby amended to read as follows:

38 371.070 Upon ~~[vehicles registered]~~ *the registration* for the first
39 time in this state after the beginning of the registration year ~~[]~~ *of a*
40 *vehicle which is registered pursuant to the provisions of NRS*
41 *706.801 to 706.861, inclusive, or which has a declared gross*
42 *weight in excess of 26,000 pounds,* the amount of the governmental
43 services tax must be reduced one-twelfth for each month which has
44 elapsed since the beginning of such year.



1 **Sec. 10.** NRS 371.080 is hereby amended to read as follows:
2 371.080 If any vehicle *which is registered pursuant to the*
3 *provisions of NRS 706.801 to 706.861, inclusive, or has a declared*
4 *gross weight in excess of 26,000 pounds, and* which is exempt from
5 the governmental services tax pursuant to NRS 371.100 ceases to be
6 exempt after the beginning of the registration year by reason of a
7 change of ownership, the amount of the tax must be reduced one-
8 twelfth for each month which has elapsed since the beginning of that
9 year.
10 **Sec. 11.** This act becomes effective upon passage and
11 approval.

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