

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.

~

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; 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.
13 3. Upon the application of the owner of a fleet of vehicles, the
14 Director may permit him to register his fleet on the basis of a
15 calendar year.



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

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

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

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

14 482.260 1. When registering a vehicle, the Department and
15 its agents or a registered dealer shall:

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

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

22 (c) Collect the applicable taxes imposed pursuant to chapters
23 372, 374, 377 and 377A of NRS.

24 (d) Issue a certificate of registration.

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

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

30 2. Upon proof of ownership satisfactory to the Director, he
31 shall cause to be issued a certificate of ownership as provided in this
32 chapter.

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

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

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

42 **Sec. 3.** NRS 482.3667 is hereby amended to read as follows:

43 482.3667 1. The Department shall establish, design and
44 otherwise prepare for issue personalized prestige license plates and



1 shall establish all necessary procedures not inconsistent with this
2 section for the application and issuance of such license plates.

3 2. The department shall issue personalized prestige license
4 plates, upon payment of the prescribed fee, to any person who
5 otherwise complies with the laws relating to the registration and
6 licensing of motor vehicles or trailers for use on private passenger
7 cars, motorcycles, trucks or trailers.

8 3. Personalized prestige license plates are valid for 12 months
9 and are renewable upon expiration. These plates may be transferred
10 from one vehicle or trailer to another if the transfer and registration
11 fees are paid as set out in this chapter. ~~Any person transferring
12 plates must be allowed a 1/12 reduction in fees for each calendar
13 month remaining unused from the previous registration, applicable
14 to the fees which are for the registration year for which the plates
15 are being transferred.~~

16 4. In case of any conflict, the person who first made
17 application for personalized prestige license plates and has
18 continuously renewed them by payment of the required fee has
19 priority.

20 5. The Department may limit by regulation the number of
21 letters and numbers used and prohibit the use of inappropriate letters
22 or combinations of letters and numbers.

23 6. The Department shall not assign to any person not holding
24 the relevant office any letters and numbers denoting that the holder
25 holds a public office.

26 **Sec. 4.** NRS 482.379 is hereby amended to read as follows:

27 482.379 1. The Director may order the design and
28 preparation of license plates which commemorate the 125th
29 anniversary of Nevada's admission into the Union and establish the
30 procedures for the application and issuance of the plates.

31 2. The Department may designate any colors, numbers and
32 letters for the commemorative plates.

33 3. A person who is entitled to license plates pursuant to NRS
34 482.265 may apply for commemorative license plates.

35 4. The fee for the commemorative license plates is \$10, in
36 addition to all other applicable registration and license fees and
37 governmental services taxes. If a person is eligible for and applies
38 for any special license plates issued pursuant to NRS 482.3667,
39 482.3672, 482.3675, 482.368 or 482.370 to 482.3825, inclusive, and
40 applies to have those special license plates combined with
41 commemorative plates, the person must pay the fees for the special
42 license plates in addition to the fee for the commemorative plates.

43 5. In addition to all fees for the license, registration and
44 governmental services taxes, a person who is eligible for and applies
45 for commemorative plates must pay \$25 for the celebration of the



1 125th anniversary of Nevada's admission into the Union. The fees
2 for the license, registration, and governmental services taxes and the
3 charge for the celebration may be paid with a single check.

4 6. Commemorative plates are renewable upon the payment
5 of \$10.

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

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

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

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

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

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

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

33 (c) Deposit \$2.50 with the State Treasurer for credit to the
34 Department to reimburse the Department for the cost of
35 manufacturing the license plates.

36 10. The Department shall not:

37 (a) Issue the commemorative license plates after October 31,
38 1990.

39 (b) Issue replacement commemorative license plates after
40 June 30, 1995.

41 **Sec. 5.** NRS 482.385 is hereby amended to read as follows:

42 482.385 1. Except as otherwise provided in subsection 4 and
43 NRS 482.390, a nonresident owner of a vehicle of a type subject to
44 registration pursuant to the provisions of this chapter, owning any
45 vehicle which has been registered for the current year in the state,



1 country or other place of which the owner is a resident and which at
2 all times when operated in this state has displayed upon it the
3 registration license plate issued for the vehicle in the place of
4 residence of the owner, may operate or permit the operation of the
5 vehicle within this state without its registration in this state pursuant
6 to the provisions of this chapter and without the payment of any
7 registration fees to this state.

8 2. This section does not:

9 (a) Prohibit the use of manufacturers', distributors' or dealers'
10 license plates issued by any state or country by any nonresident in
11 the operation of any vehicle on the public highways of this state.

12 (b) Require registration of vehicles of a type subject to
13 registration pursuant to the provisions of this chapter operated by
14 nonresident common motor carriers of persons or property, contract
15 motor carriers of persons or property, or private motor carriers of
16 property as stated in NRS 482.390.

17 (c) Require registration of a vehicle operated by a border state
18 employee.

19 3. When a person, formerly a nonresident, becomes a resident
20 of this state, he shall:

21 (a) Within 30 days after becoming a resident; or

22 (b) At the time he obtains his driver's license,
23 whichever occurs earlier, apply for the registration of ~~any vehicle~~
24 ~~which~~ *each vehicle* he owns ~~and~~ which is operated in this state.
25 *When a person, formerly a nonresident, applies for a driver's*
26 *license in this state, the Department shall inform the person of the*
27 *requirements imposed by this subsection and of the penalties that*
28 *may be imposed for failure to comply with the provisions of this*
29 *subsection. In addition, the Department shall maintain or cause to*
30 *be maintained a list or other record of persons who fail to comply*
31 *with the provisions of this subsection and shall, at least once each*
32 *month, provide a copy of that list or record to the Department of*
33 *Public Safety.*

34 4. Any resident operating ~~a motor vehicle~~ upon a highway of
35 this state *a motor vehicle* which is owned by a nonresident and
36 which is furnished to the resident operator for his continuous use
37 within this state, shall cause that vehicle to be registered within 30
38 days after beginning its operation within this state.

39 5. A person registering a vehicle pursuant to the provisions of
40 subsection 3, 4 or 6 ~~of this section~~ or pursuant to NRS 482.390
41 ~~must~~ :

42 (a) *Must* be assessed the registration fees and governmental
43 services tax, as required by the provisions of this chapter and
44 chapter 371 of NRS ~~He must~~ ; *and*



1 **(b) Must** not be allowed credit on those taxes and fees for the
2 unused months of his previous registration.

3 6. If a vehicle is used in this state for a gainful purpose, the
4 owner shall immediately apply to the Department for registration,
5 except as otherwise provided in NRS 482.390, 482.395 and 706.801
6 to 706.861, inclusive.

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

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

- 15 (a) The owner of the vehicle is a resident of this state; or
- 16 (b) The vehicle is used in this state for a gainful purpose.

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

18 482.399 1. Upon the transfer of the ownership of or interest
19 in any vehicle by any holder of a valid registration, or upon
20 destruction of the vehicle, the registration expires.

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

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



1 paid on all of the vehicles attributable to the remainder of the
2 current registration period or calendar year on a pro rata monthly
3 basis against the tax due on the vehicle to which the registration is
4 transferred or on any other vehicle of which the person is the
5 registered owner. The certificates of registration and unused license
6 plates of the vehicles from which a person transfers his ownership or
7 interest must be submitted before credit is given against the tax due
8 on the vehicle to which the registration is transferred or on any other
9 vehicle of which the person is the registered owner.

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

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

26 ~~—4.]~~ *no refund may be allowed by the Department.*

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

33 ~~[5.]~~ 7. If application for transfer of registration is not made
34 within 60 days after the destruction or transfer of ownership of or
35 interest in any vehicle, the license plate or plates must be
36 surrendered to the Department on or before the 60th day for
37 cancellation of the registration.

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

44 9. *The Department shall issue a refund pursuant to*
45 *subsection 8 only if the request for a refund is made at the time the*



1 *registration is cancelled and the license plates are surrendered, the*
2 *person requesting the refund is a resident of Nevada, the amount*
3 *eligible for refund exceeds \$100, and evidence satisfactory to the*
4 *Department is submitted that reasonably proves the existence of*
5 *extenuating circumstances. For the purposes of this subsection,*
6 *the term "extenuating circumstances" means circumstances*
7 *wherein:*

8 (a) *The person has recently relinquished his driver's license*
9 *and has sold or otherwise disposed of his vehicle.*

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

12 (c) *The owner of the vehicle is seriously ill or has died and the*
13 *guardians or survivors have sold or otherwise disposed of the*
14 *vehicle.*

15 (d) *Any other event occurs which the Department, by*
16 *regulation, has defined to constitute an "extenuating*
17 *circumstance" for the purposes of this subsection.*

18 **Sec. 7.** NRS 371.070 is hereby amended to read as follows:

19 371.070 Upon ~~vehicles registered~~ *the registration* for the first
20 time in this state after the beginning of the registration year ~~of~~ *of a*
21 *vehicle which is registered pursuant to the provisions of NRS*
22 *706.801 to 706.861, inclusive, or which has a declared gross*
23 *weight in excess of 26,000 pounds, the amount of the governmental*
24 *services tax must be reduced one-twelfth for each month which has*
25 *elapsed since the beginning of such year.*

26 **Sec. 8.** NRS 371.080 is hereby amended to read as follows:

27 371.080 If any vehicle *which is registered pursuant to the*
28 *provisions of NRS 706.801 to 706.861, inclusive, or has a declared*
29 *gross weight in excess of 26,000 pounds, and* which is exempt from
30 the governmental services tax pursuant to NRS 371.100 ceases to be
31 exempt after the beginning of the registration year by reason of a
32 change of ownership, the amount of the tax must be reduced one-
33 twelfth for each month which has elapsed since the beginning of that
34 year.

35 **Sec. 9.** 1. This section and sections 1 to 4, inclusive, 6, 7 and
36 8 of this act become effective upon passage and approval.

37 2. Section 5 of this act becomes effective on July 1, 2004.

