
SENATE BILL NO. 161—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

FEBRUARY 18, 2003

Referred to Committee on Judiciary

SUMMARY—Removes requirement that lien claimant give notice to Department of Motor Vehicles regarding satisfaction of lien on aircraft, aircraft equipment or aircraft parts. (BDR 9-564)

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 statutory liens; removing the requirement that a lien claimant give written notice to the Department of Motor Vehicles regarding the satisfaction of a lien on an aircraft, aircraft equipment or aircraft parts; 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 108.310 is hereby amended to read as follows:
2 108.310 Subject to the provisions of NRS 108.315, the lien
3 created in NRS 108.270 to 108.360, inclusive, may be satisfied as
4 follows:
5 1. The lien claimant shall give written notice to the person on
6 whose account the storing, maintaining, keeping, repairing, labor,
7 fuel, supplies, facilities, services or accessories were made, done or
8 given, and to any other person known to have or to claim an interest
9 in the motor vehicle, aircraft, motorcycle, motor or aircraft
10 equipment, aircraft parts, trailer, recreational vehicle, mobile home
11 or manufactured home [] upon which the lien is asserted, and to the:
12 (a) Manufactured Housing Division of the Department of
13 Business and Industry with regard to mobile homes, manufactured



1 homes and commercial coaches as defined in chapter 489 of NRS;
2 or

3 (b) Department of Motor Vehicles with regard to ~~[all other items~~
4 ~~included in this section.]~~ *motor vehicles, motorcycles, motor*
5 *equipment, trailers, recreational vehicles, mobile homes and*
6 *manufactured homes.*

7 2. In accordance with the terms of a notice so given, a sale by
8 auction may be held to satisfy any valid claim which has become a
9 lien on the motor vehicle, aircraft, motorcycle, motor or aircraft
10 equipment, aircraft parts, trailer, recreational vehicle, mobile home
11 or manufactured home. The sale must be held in the place where the
12 lien was acquired, or, if that place is manifestly unsuitable for the
13 purpose, at the nearest suitable place.

14 3. After the time for the payment of the claim specified in the
15 notice has elapsed, an advertisement of the sale, describing the
16 motor vehicle, aircraft, motorcycle, motor or aircraft equipment,
17 aircraft parts, trailer, recreational vehicle, mobile home or
18 manufactured home to be sold, and stating the name of the owner or
19 person on whose account it is held, and the time and place of the
20 sale, must be published once a week for 3 consecutive weeks in a
21 newspaper published in the place where the sale is to be held, but if
22 no newspaper is published in that place, then in a newspaper
23 published in this state that has a general circulation in that place.
24 The sale must not be held less than 22 days after the time of the first
25 publication.

26 4. From the proceeds of the sale, the lien claimant who
27 furnished the services, labor, fuel, accessories, facilities or supplies
28 shall satisfy his lien, including the reasonable charges of notice,
29 advertisement and sale. The balance, if any, of the proceeds must be
30 delivered, on demand, to the person to whom he would have been
31 bound to deliver, or justified in delivering, the motor vehicle,
32 aircraft, motorcycle, motor or aircraft equipment, aircraft parts,
33 trailer, recreational vehicle, mobile home or manufactured home.

34 **Sec. 2.** This act becomes effective upon passage and approval.

