
SENATE BILL NO. 405—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF LEGISLATIVE COMMITTEE TO STUDY
COMPETITION BETWEEN LOCAL GOVERNMENTS
AND PRIVATE ENTERPRISES)

MARCH 24, 2003

Referred to Committee on Transportation

SUMMARY—Allows certain owners of fleets of motor vehicles to apply for participation in program allowing electronic submission and storage of certain documents relating to registration and ownership of motor vehicles. (BDR 43-411)

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; allowing certain owners of fleets of motor vehicles to apply for participation in the program allowing the electronic submission and storage of certain documents relating to the registration and ownership of motor vehicles; and providing other matters properly relating thereto.

1 WHEREAS, For some time, the Nevada Legislature has been
2 working with the Department of Motor Vehicles to simplify and
3 make more streamlined the process by which residents and
4 businesses of this state are able to register and title their motor
5 vehicles; and

6 WHEREAS, The current process for registering and titling
7 multiple motor vehicles is a time-consuming and onerous process
8 for persons who own fleets composed of numerous motor vehicles;
9 and

10 WHEREAS, The Nevada Legislature has already enacted
11 legislation allowing the Department of Motor Vehicles to establish a
12 program pursuant to which financial institutions, new vehicle



1 dealers and used vehicle dealers may be eligible to, on behalf of
2 their customers, submit to the Department by electronic means
3 certain documents relating to the registration and ownership of
4 motor vehicles; and

5 WHEREAS, The study conducted during the 2001-2002
6 legislative interim on matters relating to competition between local
7 governments and private enterprises concluded that it would be
8 advisable to enact legislation facilitating the electronic submission
9 of documents relating to the registration and ownership of motor
10 vehicles by owners of fleets of motor vehicles; now, therefore,

11
12 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
13 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
14

15 **Section 1.** NRS 482.292 is hereby amended to read as follows:
16 482.292 As used in this section and NRS 482.293 and 482.294,
17 unless the context otherwise requires, "document" means an
18 application, notice, report, statement or other record relating to the
19 issuance or renewal of a certificate of registration, or the issuance of
20 a certificate of ownership, pursuant to this chapter. ~~[by financial
21 institutions, new vehicle dealers and used vehicle dealers on behalf
22 of their customers.]~~

23 **Sec. 2.** NRS 482.293 is hereby amended to read as follows:
24 482.293 1. The Department may establish a program for the
25 electronic submission and storage of documents.

26 2. If the Department establishes a program pursuant to
27 subsection 1:

28 (a) An electronic submission or storage of documents that is
29 carried out pursuant to the program with respect to a particular
30 transaction is not valid unless all original documents required for the
31 transaction pursuant to:

- 32 (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and
- 33 (2) The provisions of any regulations adopted pursuant
34 thereto,
35 have been executed and submitted to the Department.

36 (b) *The Department shall allow only the following persons to
37 apply for participation in the program:*

- 38 (1) *Financial institutions, new vehicle dealers and used
39 vehicle dealers, for the purpose of submitting documents by
40 electronic means to the Department on behalf of their customers.*
- 41 (2) *Owners of fleets composed of 10 or more vehicles.*

42 (c) The Department shall adopt regulations to carry out the
43 program.

44 3. The regulations required to be adopted pursuant to paragraph
45 ~~[(b)]~~ (c) of subsection 2 must include, without limitation:



- 1 (a) The type of electronic transmission that the Department will
- 2 accept for the program.
- 3 (b) The process for submission of an application by a person
- 4 who desires to participate in the program and the fee, if any, that
- 5 must accompany the application for participation.
- 6 (c) The criteria that will be applied by the Department in
- 7 determining whether to approve an application to participate in the
- 8 program.
- 9 (d) The standards for ensuring the security and integrity of the
- 10 process for issuance and renewal of a certificate of registration,
- 11 certificate of ownership and certificate of title, including, without
- 12 limitation, the procedure for a financial and performance audit of the
- 13 program.
- 14 (e) The terms and conditions for participation in the program
- 15 and any restrictions on the participation.
- 16 (f) The contents of a written agreement that must be on file with
- 17 the Department ~~[pursuant to subsection 2 of NRS 482.294]~~ before a
- 18 participant may submit a document by electronic means to the
- 19 Department. Such written agreement must include, without
- 20 limitation:
 - 21 (1) An assurance that each document submitted by electronic
 - 22 means contains all the information that is necessary to complete the
 - 23 transaction for which the document is submitted;
 - 24 (2) Certification that all the information contained in each
 - 25 document that is submitted by electronic means is truthful and
 - 26 accurate;
 - 27 (3) An assurance that the participant who submits a
 - 28 document by electronic means will maintain all information and
 - 29 records that are necessary to support the document; and
 - 30 (4) The signature of the participant who files the written
 - 31 agreement with the Department.
- 32 (g) The conditions under which the Department may revoke the
- 33 approval of a person to participate in the program, including,
- 34 without limitation, failure to comply with this section and NRS
- 35 482.294 and the regulations adopted pursuant thereto.
- 36 (h) The method by which the Department will store documents
- 37 that are submitted to it by electronic means.
- 38 (i) The required technology that is necessary to carry out the
- 39 program.
- 40 (j) Any other regulations that the Department determines
- 41 necessary to carry out the program.
- 42 (k) Procedures to ensure compliance with:
 - 43 (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and
 - 44 (2) The provisions of any regulations adopted pursuant
 - 45 thereto,



1 to the extent that such provisions relate to the submission and
2 retention of documents used for the transfer of the ownership of
3 vehicles.

4 4. The Department may accept gifts and grants from any
5 source, including, without limitation, donations of materials,
6 equipment and labor, for the establishment and maintenance of a
7 program pursuant to this section.

8 **Sec. 3.** NRS 482.294 is hereby amended to read as follows:

9 482.294 1. If the Department approves an application for a
10 person to participate in a program established pursuant to NRS
11 482.293, that participant may submit, by electronic means, a
12 document that is required to be submitted pursuant to this chapter
13 for the issuance or renewal of a certificate of registration, certificate
14 of ownership or certificate of title.

15 2. If the signature of a natural person is required pursuant to
16 this chapter on a document that is submitted by electronic means,
17 the Department may waive that requirement :

18 *(a) In the case of a participant who is a financial institution,*
19 *new vehicle dealer or used vehicle dealer,* if the participant who
20 submitted the document on behalf of that person complies with all
21 requirements of this program.

22 *(b) In the case of a participant who is an owner of a fleet*
23 *composed of 10 or more vehicles, if the participant complies with*
24 *all requirements of this program.*

25 3. Notwithstanding any other provision of law to the contrary,
26 a document that is submitted by electronic means pursuant to
27 subsection 1, if accepted by the Department, shall be deemed an
28 original document in administrative proceedings, quasi-judicial
29 proceedings and judicial proceedings.

