

ASSEMBLY BILL NO. 57—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises various provisions relating to motor vehicles. (BDR 9-274)

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; revising provisions relating to a lien on a motor vehicle; revising the date by which the Director of the Department of Public Safety is required to submit certain reports concerning garages, garage operators and body shops; repealing provisions relating to special license plates issued to honorary consuls of foreign countries; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, certain persons who store, maintain, keep, repair or furnish
2 facilities or services for certain vehicles have a lien on such vehicles. (NRS
3 108.265-108.367) Existing law authorizes a person who has such a lien to satisfy
4 the lien by selling the vehicle at an auction held at or near the place where the lien
5 was acquired. **Section 1** of this bill additionally authorizes a person who has such a
6 lien to satisfy the lien by selling the vehicle by private sale in an arm’s length
7 transaction under certain circumstances. **Section 1** requires every aspect of a sale
8 held to satisfy a lien to be commercially reasonable, regardless of whether the sale
9 is held by public auction or by private sale.
10 Existing law requires an advertisement for the sale of a vehicle for purposes of
11 satisfying a lien to be published in a newspaper that is published in the place where
12 the sale is to be held. (NRS 108.310) **Section 1** also authorizes such an
13 advertisement of a sale to be published in a publication of a nationally recognized
14 media outlet made available on the Internet. **Section 1** also removes the
15 requirement that a sale must be held at or near the place where the lien was
16 acquired.



17 On November 16, 2021, the United States Department of State issued a notice
18 indicating that it is the preference of the Office of Foreign Missions of the United
19 States Department of State that states cease issuing special license plates to
20 honorary consular officers. (United States Department of State, "Cessation of
21 Honorary Consul License Plates," November 16, 2021) In accordance with that
22 notice, **section 7** of this bill repeals provisions of existing law which provide for the
23 issuance of special license plates to a person appointed as an honorary consul of a
24 foreign country, thereby terminating the production and distribution of such plates.
25 (NRS 482.3675) **Sections 2 and 3** of this bill make conforming changes by
26 eliminating references to the repealed section.

27 Existing law requires the Director of the Department of Public Safety to
28 prepare and submit an annual report concerning garages, garage operators and body
29 shops to the Legislative Commission or Legislature, as appropriate, on or before
30 January 1 of each year. (NRS 487.557) **Section 4** of this bill instead requires the
31 Director to submit this report on or before February 1 of each year. **Section 4** also
32 updates references to the standing committees to whom the report will be
33 transmitted.

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 108.2723 and
3 108.315, the lien created in NRS 108.270 to 108.367, inclusive, may
4 be satisfied as 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) Housing Division of the Department of Business and
13 Industry with regard to mobile homes, manufactured homes and
14 commercial coaches as defined in chapter 489 of NRS; or

15 (b) Department of Motor Vehicles with regard to all other items
16 included in this section.

17 2. ~~Ha~~ *Except as otherwise provided in subsection 3, in*
18 *accordance with the terms of a notice so given, a sale by public*
19 *auction ~~may~~ must be held to satisfy any valid claim which has*
20 *become a lien on the motor vehicle, aircraft, motorcycle, motor or*
21 *aircraft equipment, aircraft parts, trailer, recreational vehicle, mobile*
22 *home or manufactured home. ~~The~~*

23 3. *A lien claimant may cause a motor vehicle, aircraft,*
24 *motorcycle, motor or aircraft equipment, aircraft parts, trailer,*
25 *recreational vehicle, mobile home or manufactured home to be*
26 *sold by private sale in an arm's length transaction if the lien*



1 *claimant is unable to sell the motor vehicle, aircraft, motorcycle,*
2 *motor or aircraft equipment, aircraft parts, trailer, recreational*
3 *vehicle, mobile home or manufactured home at a public auction,*
4 *after a reasonable effort.*

5 4. Every aspect of a sale ~~[must be held in the place where the~~
6 ~~lien was acquired or, if that place is manifestly unsuitable for the~~
7 ~~purpose, at the nearest suitable place.~~

8 ~~—3.]~~ *made pursuant to subsection 2 or 3, including, without*
9 *limitation, the method, advertising, time, date, place, terms and*
10 *price, must be commercially reasonable.*

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

25 ~~[4.]~~ 6. From the proceeds of the sale the lien claimant who
26 furnished the services, labor, fuel, accessories, facilities or supplies
27 shall satisfy the lien, including the reasonable charges of notice,
28 advertisement and sale. The balance, if any, of the proceeds must be
29 delivered, on demand, to the person to whom the lien claimant
30 would have been bound to deliver, or justified in delivering, the
31 motor vehicle, aircraft, motorcycle, motor or aircraft equipment,
32 aircraft parts, trailer, recreational vehicle, mobile home or
33 manufactured home.

34 7. *As used in this section, “media outlet” means a company*
35 *or other similar entity that transmits news or other information*
36 *through various distribution channels, including, without*
37 *limitation, newspapers, magazines and electronic media.*

38 **Sec. 2.** NRS 482.379 is hereby amended to read as follows:

39 482.379 1. The Director may order the design and
40 preparation of license plates which commemorate the 125th
41 anniversary of Nevada’s admission into the Union and establish the
42 procedures for the application and issuance of the plates.

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



1 3. A person who is entitled to license plates pursuant to NRS
2 482.265 may apply for commemorative license plates.

3 4. The fee for the commemorative license plates is \$10, in
4 addition to all other applicable registration and license fees and
5 governmental services taxes. If a person is eligible for and applies
6 for any special license plates issued pursuant to NRS 482.3667,
7 482.3672, ~~482.3675,~~ 482.368 or 482.370 to 482.3825, inclusive,
8 and applies to have those special license plates combined with
9 commemorative plates, the person must pay the fees for the special
10 license plates in addition to the fee for the commemorative plates.

11 5. In addition to all fees for the license, registration and
12 governmental services taxes, a person who is eligible for and applies
13 for commemorative plates must pay \$25 for the celebration of the
14 125th anniversary of Nevada's admission into the Union. The fees
15 for the license, registration, and governmental services taxes and the
16 charge for the celebration may be paid with a single check.

17 6. Commemorative plates are renewable upon the payment of
18 \$10.

19 7. If during a registration period, the holder of commemorative
20 plates issued pursuant to the provisions of this section disposes of
21 the vehicle to which the plates are affixed, the holder may retain the
22 plates and:

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

25 (b) Affix them to another vehicle which meets the requirements
26 of this section if the transfer and registration fees are paid as is
27 provided for in this chapter.

28 8. Except as otherwise provided by subsection 10, if a
29 commemorative license plate or set of license plates issued pursuant
30 to the provisions of this section is lost, stolen or mutilated, the
31 owner of the vehicle may secure a duplicate number plate or set of
32 duplicate number plates, as the case may be, from the Department
33 upon payment of the fees set forth in subsection 2 of NRS 482.500.

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

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

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

43 (c) Deposit \$2.50 with the State Treasurer for credit to the
44 Department to reimburse the Department for the cost of
45 manufacturing the license plates.



1 10. The Department shall not:

2 (a) Issue the commemorative license plates after October 31,
3 1990.

4 (b) Issue duplicate or replacement commemorative license plates
5 after June 30, 1995.

6 11. License plates issued pursuant to this section are not
7 subject to reissue pursuant to subsection 2 of NRS 482.265.

8 **Sec. 3.** NRS 482.500 is hereby amended to read as follows:

9 482.500 1. Except as otherwise provided in subsection 2 or 3
10 or specifically provided by statute, whenever upon application any
11 duplicate or substitute certificate of registration, indicator, decal or
12 number plate is issued, the following fees must be paid:

13	
14	For a certificate of registration \$5.00
15	For every substitute number plate or set of plates 5.00
16	For every duplicate number plate or set of plates..... 10.00
17	For every decal displaying a county name50
18	For every other indicator, decal, license plate
19	sticker or tab..... 5.00
20	

21 2. The following fees must be paid for any replacement
22 number plate or set of plates issued for the following special license
23 plates:

24 (a) For any special plate issued pursuant to NRS 482.3667,
25 482.367002, 482.3672, ~~482.3675,~~ 482.370 to 482.3755, inclusive,
26 482.376 or 482.379 to 482.3818, inclusive, a fee of \$10.

27 (b) For any special plate issued pursuant to NRS 482.368,
28 482.3765, 482.377 or 482.378, a fee of \$5.

29 (c) Except as otherwise provided in paragraph (a) of subsection
30 1 of NRS 482.3824, for any souvenir license plate issued pursuant
31 to NRS 482.3825 or sample license plate issued pursuant to NRS
32 482.2703, a fee equal to that established by the Director for the
33 issuance of those plates.

34 3. A fee must not be charged for a duplicate or substitute of a
35 decal issued pursuant to NRS 482.37635.

36 4. The fees which are paid for replacement number plates,
37 duplicate number plates and decals displaying county names must
38 be deposited with the State Treasurer for credit to the Motor Vehicle
39 Fund and allocated to the Department to defray the costs of
40 replacing or duplicating the plates and manufacturing the decals.

41 **Sec. 4.** NRS 487.557 is hereby amended to read as follows:

42 487.557 1. On or before ~~January~~ *February* 1 of each year,
43 the Director of the Department shall prepare a report concerning
44 garages, garage operators and body shops. The report must include:



1 (a) The number of complaints relating to garages, garage
2 operators and body shops made to and acted upon by the
3 Department during the year for which the report is prepared;

4 (b) The number of investigations conducted during that year by
5 the Department relating to garages, garage operators and body
6 shops; and

7 (c) The outcome of each investigation specified in paragraph (b)
8 and the extent to which any information relating to each
9 investigation is subject to disclosure to the members of the public.

10 2. On or before ~~January~~ *February* 1 of each even-numbered
11 year, the Director of the Department shall submit the report required
12 pursuant to subsection 1 to the Legislative Commission. On or
13 before ~~January~~ *February* 1 of each odd-numbered year, the
14 Director of the Department shall submit the report to the Director of
15 the Legislative Counsel Bureau for transmittal to:

16 (a) The Senate Standing Committee on ~~Energy,~~ *Growth and*
17 *Infrastructure* ; ~~and Transportation;~~ and

18 (b) The Assembly Standing Committee on ~~Transportation.~~
19 *Growth and Infrastructure.*

20 **Sec. 5.** A person to whom the Department of Motor Vehicles
21 issued special license plates pursuant to NRS 482.3675 shall, on or
22 before January 1, 2024, surrender any such plates in his or her
23 possession to the Department, and, in lieu of any plates surrendered,
24 is entitled to receive regular Nevada license plates.

25 **Sec. 6.** The provisions of subsection 1 of NRS 218D.380 do
26 not apply to any provision of this act which adds or revises a
27 requirement to submit a report to the Legislature.

28 **Sec. 7.** NRS 482.3675 is hereby repealed.

29 **Sec. 8.** This act becomes effective on July 1, 2023.

TEXT OF REPEALED SECTION

482.3675 Honorary consul of foreign country.

1. An owner of a motor vehicle who is a United States citizen
or a citizen of a foreign country residing in this State and who holds
from a foreign country a letter of appointment as an honorary consul
may, upon signed application on a form prescribed and provided by
the Department, accompanied by:

(a) The fee charged for personalized prestige license plates in
NRS 482.367 in addition to all other required registration fees and
taxes; and

(b) A copy of the letter of appointment from that country,



↳ be issued a set of license plates upon which is inscribed CONSULAR CORPS with a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003.

2. Each person who is eligible for special license plates under this section may apply for one set of plates. The plates may be used only on a private passenger vehicle or a noncommercial truck.

3. When a person to whom special license plates have been issued pursuant to this section loses his or her status as an honorary consul, the person shall surrender any special plates he or she possesses to the Department and is entitled to receive regular Nevada license plates. Surrendered plates may be reissued or disposed of in a manner authorized by the regulations of the Department.

4. The Department may adopt regulations governing the issuance of special license plates to honorary consuls of foreign countries. The Department shall include on the form for application a notice to the applicant that the issuance of such license plates does not confer any diplomatic immunity.

5. Special license plates issued pursuant to this section are renewable upon the payment of \$10.

