

SENATE BILL NO. 22—COMMITTEE ON
REVENUE AND ECONOMIC DEVELOPMENT

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 7, 2024

Referred to Committee on Revenue and
Economic Development

SUMMARY—Revises provisions governing the amount of the penalty for late payment of certain taxes and fees administered by the Department of Motor Vehicles. (BDR 32-303)

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 taxation; revising provisions governing the amount of the penalty for the late payment of certain taxes and fees administered by the Department of Motor Vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Motor Vehicles to administer and
2 enforce taxes and fees on certain oil and fuels. (NRS 365.100, 366.110, 373.070,
3 445C.330, 590.120) If a person fails to pay any such tax or fee within the required
4 time period, existing law: (1) requires the Department to impose a penalty on the
5 person of not more than 10 percent of the amount of the tax or fee that is owed, as
6 determined by the Department, plus interest at the rate of 1 percent per month, or
7 fraction of a month; and (2) authorizes the Department to waive all or part of any
8 interest or penalty if the Director of the Department or a hearing officer finds that
9 the failure of a person to make a payment of a tax or fee is the result of
10 circumstances beyond the control of the person and occurred despite the exercise of
11 ordinary care and without willful neglect. (NRS 360A.060, 360A.070) Existing
12 regulations establish the circumstances under which the Director or the Director’s
13 designee will grant an application for a waiver of all or part of the penalty and
14 interest imposed for a later payment of a tax or fee. (NAC 360A.160) This bill
15 establishes that the penalty for a failure to timely pay a tax or fee administered by
16 the Department is 10 percent of the amount due, thereby removing the authority of
17 the Department to impose a penalty of less than 10 percent of the amount due



18 unless the person subject to the penalty establishes that the circumstances justify a
19 waiver of the penalty under existing law.

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

1 **Section 1.** NRS 360A.060 is hereby amended to read as
2 follows:
3 360A.060 Unless a different penalty or rate of interest is
4 specifically provided by statute, any person who fails to pay any tax
5 or fee required by chapter 365, 366 or 373 of NRS or NRS
6 445C.330 or 590.120 to this State or a county within the time
7 required, shall pay a penalty of ~~not more than~~ 10 percent of the
8 amount of the tax or fee that is owed, ~~as determined by the~~
9 ~~Department,~~ in addition to the tax or fee, plus interest at the rate of
10 1 percent per month, or fraction of a month, from the last day of the
11 month following the period for which the amount or any portion of
12 the amount should have been reported until the date of payment.

