
ASSEMBLY BILL NO. 452—COMMITTEE ON TRANSPORTATION

MARCH 10, 1999

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning salvage of vehicles. (BDR 43-1110)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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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 vehicles; revising the provisions governing the sale of a vehicle as salvage; renaming a certificate of dismantling as a salvage title; 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 482.470 is hereby amended to read as follows:
2 482.470 1. If any vehicle is dismantled, junked or rendered
3 inoperative and unfit for further use in accordance with the original
4 purpose for which it was constructed, the owner shall deliver to the
5 department any certificate of registration and certificate of ownership
6 issued by the department or any other jurisdiction, unless the certificate of
7 ownership is required for the collection of any insurance or other
8 indemnity for the loss of the vehicle, or for transfer in order to dispose of
9 the vehicle.
10 2. Any other person taking possession of a vehicle described in
11 subsection 1 shall immediately deliver to the department any license plate
12 or plates, certificate of registration or certificate of ownership issued by the
13 department or any other jurisdiction, if he has acquired possession of any
14 of these and unless the certificate of ownership is required for a further
15 transfer in the ultimate disposition of the vehicle.
16 3. The department may issue a ~~certificate of dismantling,~~ **salvage**
17 **title** as provided in chapter 487 of NRS. The department shall not charge a
18 fee for the issuance of the ~~certificate,~~ **salvage title.**
19 4. The department shall destroy any plate or plates, certificate of
20 registration or certificate of ownership that is returned in a manner

1 described in subsections 1 and 2. The department shall not issue a
2 certificate of registration or certificate of ownership for a vehicle with the
3 same identification number as the dismantled, junked or inoperative
4 vehicle if the vehicle was manufactured in the 5 years preceding the date
5 on which it was dismantled, junked or otherwise rendered inoperative,
6 unless the department authorizes the restoration of the vehicle pursuant to
7 subsection 2 of NRS 482.553.

8 **Sec. 2.** NRS 487.100 is hereby amended to read as follows:

9 487.100 1. Except as otherwise provided in subsection 2, any
10 automobile wrecker purchasing from any person other than a licensed
11 operator of a salvage pool, any vehicle subject to registration pursuant to
12 the laws of this state shall forward to the department the certificates of
13 ownership and registration last issued therefor.

14 2. The certificate of ownership last issued for a mobile home or
15 commercial coach must be sent by the wrecker to the manufactured
16 housing division.

17 3. The state agency may issue to the licensee a ~~{certificate of~~
18 ~~dismantling,}~~ **salvage title** containing a brief description of the vehicle,
19 including, insofar as data may exist with respect to the vehicle, the make,
20 type, serial number and motor number, or any other number of the vehicle.
21 The state agency shall not charge a fee for the issuance of the ~~{certificate.}~~
22 **salvage title.**

23 **Sec. 3.** NRS 487.120 is hereby amended to read as follows:

24 487.120 1. If the applicant for a ~~{certificate of dismantling}~~ **salvage**
25 **title** is unable to furnish the certificates of ownership and registration last
26 issued for the vehicle or a bill of sale of salvage, the state agency may
27 accept the application, examine the circumstances of the case and require
28 the filing of suitable affidavits or other information or documents. If
29 satisfied that the applicant is entitled to a ~~{certificate of dismantling,}~~
30 **salvage title**, the state agency may issue the ~~{certificate.}~~ **salvage title.**

31 2. No duplicate certificate of ownership or registration may be issued
32 when a ~~{certificate of dismantling}~~ **salvage title** is applied for, and no fees
33 are required for the affidavits of any stolen, lost or damaged certificate, or
34 duplicates thereof, unless the vehicle is subsequently registered.

35 **Sec. 4.** NRS 487.130 is hereby amended to read as follows:

36 487.130 If any person acquires a vehicle as transferee for the purpose
37 of dismantling or wrecking ~~{the same,}~~ **it**, the title to the vehicle ~~{shall}~~
38 **must** be transferred to the person without payment of any fee upon
39 application for the issuance of a ~~{certificate of dismantling.}~~ **salvage title.**

40 **Sec. 5.** NRS 487.150 is hereby amended to read as follows:

41 487.150 No vehicle for which a ~~{certificate of dismantling}~~ **salvage**
42 **title** has been issued may subsequently be registered until it has been

1 inspected by the department and found to be in a safe mechanical condition
2 and equipped with safety glass.

3 **Sec. 6.** NRS 487.160 is hereby amended to read as follows:

4 487.160 1. The department, after notice and hearing, may suspend,
5 revoke or refuse to renew a license of an automobile wrecker upon
6 determining that the automobile wrecker:

7 (a) Is not lawfully entitled thereto;

8 (b) Has made, or knowingly or negligently permitted, any illegal use of
9 that license;

10 (c) Has failed to return a ~~certificate of dismantling~~ *salvage title* to the
11 state agency when and as required of him by NRS 487.045 to 487.190,
12 inclusive; or

13 (d) Has failed to surrender to the state agency certificates of ownership
14 for vehicles before beginning to dismantle or wreck the vehicles.

15 2. The applicant or licensee may, within 30 days after receipt of the
16 notice of refusal, suspension or revocation, petition the department in
17 writing for a hearing.

18 3. Hearings under this section and appeals therefrom must be
19 conducted in the manner prescribed in NRS 482.353 and 482.354.

20 4. The department may suspend, revoke or refuse to renew a license of
21 an automobile wrecker, or deny a license to an applicant therefor, if the
22 licensee or applicant:

23 (a) Does not have or maintain an established place of business in this
24 state.

25 (b) Made a material misstatement in any application.

26 (c) Willfully fails to comply with any provision of NRS 487.045 to
27 487.190, inclusive.

28 (d) Fails to furnish and keep in force any bond required by NRS
29 487.050 to 487.190, inclusive.

30 (e) Fails to discharge any final judgment entered against him when the
31 judgment arises out of any misrepresentation of a vehicle, trailer or
32 semitrailer.

33 (f) Fails to maintain any license or bond required by a political
34 subdivision of this state.

35 (g) Has been convicted of a felony.

36 (h) Has been convicted of a misdemeanor or gross misdemeanor for a
37 violation of a provision of this chapter.

38 (i) Fails or refuses to provide to the department an authorization for the
39 disclosure of financial records for the business as required pursuant to
40 subsection 7.

41 5. If an application for a license as an automobile wrecker is denied,
42 the applicant may not submit another application for at least 6 months after
43 the date of the denial.

1 6. The department may refuse to review a subsequent application for
2 licensing submitted by any person who violates any provision of this
3 chapter.

4 7. Upon the receipt of any report or complaint alleging that an
5 applicant or a licensee has engaged in financial misconduct or has failed to
6 satisfy any financial obligation related to the business of dismantling,
7 scrapping, processing or wrecking of vehicles, the department may require
8 the applicant or licensee to submit to the department an authorization for
9 the disclosure of financial records for the business as provided in NRS
10 239A.090. The department may use any information obtained pursuant to
11 such an authorization only to determine the suitability of the applicant or
12 licensee for initial or continued licensure. Information obtained pursuant to
13 such an authorization may be disclosed only to those employees of the
14 department who are authorized to issue a license to an applicant pursuant
15 to NRS 487.050 to 487.200, inclusive, or to determine the suitability of an
16 applicant or a licensee for such licensure.

17 8. For the purposes of this section, failure to adhere to the directives of
18 the state agency advising the licensee of his noncompliance with any
19 provision of NRS 487.045 to 487.190, inclusive, or regulations of the state
20 agency, within 10 days after the receipt of those directives, is prima facie
21 evidence of willful failure to comply.

22 **Sec. 7.** NRS 487.250 is hereby amended to read as follows:

23 487.250 1. The state agency or political subdivision shall, within 48
24 hours after the appraisal, notify the head of the state agency of the
25 removal of the vehicle. The notice must contain:

26 (a) A description of the vehicle.

27 (b) The appraised value of the vehicle.

28 (c) A statement as to whether the vehicle will be junked, dismantled or
29 otherwise disposed of.

30 2. The person who removed the vehicle must notify the registered
31 owner and any person having a security interest in the vehicle by registered
32 or certified mail that the vehicle has been removed and will be junked or
33 dismantled or otherwise disposed of unless the registered owner or the
34 person having a security interest in the vehicle responds and pays the costs
35 of removal.

36 3. Failure to reclaim within 15 days after notification a vehicle
37 appraised at \$500 or less constitutes a waiver of interest in the vehicle by
38 any person having an interest in the vehicle.

39 4. If all recorded interests in a vehicle appraised at \$500 or less are
40 waived, either as provided in subsection 3 or by written disclaimer by any
41 person having an interest in the vehicle, the state agency shall issue a

1 ~~{certificate of dismantling}~~ *salvage title* to the automobile wrecker who
2 towed the vehicle or to whom the vehicle may have been delivered, or a
3 certificate of ownership to the garage owner if he elects to retain the
4 vehicle and the vehicle is equipped as required by chapter 484 of NRS.

5 **Sec. 8.** NRS 487.270 is hereby amended to read as follows:

6 487.270 1. Whenever a vehicle has been removed to a garage or
7 other place as provided by NRS 487.230, the owner of the garage or the
8 automobile wrecker who towed the vehicle has a lien on the vehicle for the
9 costs of towing and storing for a period not exceeding 90 days.

10 2. If the vehicle is appraised at a value of \$500 or less and is not
11 reclaimed within the period prescribed in NRS 487.250, the owner of the
12 garage or automobile wrecker may satisfy his lien by retaining the vehicle
13 and obtaining a certificate of ownership thereto or a ~~{certificate of~~
14 ~~dismantling}~~ *salvage title* as provided in NRS 487.250.

15 3. If the vehicle is appraised at a value of more than \$500 and is not
16 reclaimed within 45 days, the owner of the garage or automobile wrecker
17 may satisfy his lien, in accordance with the provisions of NRS 108.265 to
18 108.360, inclusive.

19 **Sec. 9.** NRS 487.480 is hereby amended to read as follows:

20 487.480 1. Before an operator of a salvage pool sells any vehicle
21 subject to registration pursuant to the laws of this state, he must have in his
22 possession the certificate of ownership or a bill of sale of salvage for that
23 vehicle. He shall, within 10 days after completion of the transaction,
24 forward the certificate of ownership or bill of sale of salvage to the
25 department. The department shall not issue a certificate of registration or
26 certificate of ownership for a vehicle with the same identification number
27 if the vehicle was manufactured in the 5 years preceding the date on which
28 the operator forwards the certificates to the department, unless the
29 department authorizes the restoration of the vehicle pursuant to subsection
30 2 of NRS 482.553.

31 2. Upon sale of the vehicle, the operator of the salvage pool shall
32 provide a bill of sale of salvage to the licensed automobile wrecker, dealer
33 of new or used motor vehicles or rebuilder on a form prescribed and
34 supplied by the department. The department shall accept the bill of sale *of*
35 *salvage* in lieu of the certificate of ownership or other evidence of title
36 from the:

37 (a) Automobile wrecker, if *the bill of sale of salvage is* accompanied
38 by an appropriate application for a ~~{certificate of dismantling;}~~ *salvage*
39 *title;* or

40 (b) Dealer of new or used motor vehicles or rebuilder when he licenses
41 the vehicle for operation or transfers ownership of it, if the bill of sale *of*
42 *salvage* is accompanied by an appropriate application, all other required

1 documents and fees, and a certificate of inspection signed by an employee
2 of the department attesting to the mechanical fitness and safety of the
3 vehicle.

4 3. The department may issue to:

5 (a) The licensed automobile wrecker;

6 (b) A *licensed operator of a salvage pool*;

7 (c) A dealer of new or used motor vehicles who is licensed in another
8 state ~~{ }~~ *or foreign country and is registered with a salvage pool*; or

9 (d) An automobile wrecker or dismantler who is licensed in another
10 state ~~{a certificate of dismantling}~~ *or foreign country and is registered*
11 *with a salvage pool,*

12 *a salvage title* that contains a brief description of the vehicle, including,
13 insofar as data may exist with respect to the vehicle, the make, type, serial
14 number and motor number, or any other number of the vehicle. Except as
15 otherwise provided in this subsection, the department shall charge and
16 collect a fee of \$10 for the issuance of a ~~{certificate of dismantling}~~
17 *salvage title* pursuant to this subsection. The department shall not charge
18 such a fee for the issuance of a ~~{certificate of dismantling}~~ *salvage title* to
19 an automobile wrecker licensed in this state. Fees collected by the
20 department pursuant to this subsection must be deposited with the state
21 treasurer to the credit of the account for regulation of salvage pools,
22 automobile wreckers, body shops and garages. Possession of a ~~{certificate~~
23 ~~of dismantling}~~ *salvage title* does not entitle a person to dismantle, scrap,
24 process or wreck any vehicle in this state unless the person holds a license
25 issued pursuant to NRS 487.050.

26 **Sec. 10.** This act becomes effective upon passage and approval.