
ASSEMBLY BILL NO. 452—COMMITTEE ON TRANSPORTATION

MARCH 10, 1999

Referred to Committee on Transportation

SUMMARY—Prohibits inclusion of certain statements regarding mileage in certificates of ownership of certain vehicles and 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; prohibiting the inclusion of certain statements regarding mileage in certain certificates of ownership; 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 482.245 is hereby amended to read as follows:
2 482.245 1. The certificate of registration must contain upon the face
3 thereof the date issued, the registration number assigned to the vehicle, the
4 legal name and address of the registered owner, the county where the
5 vehicle is to be based unless it is deemed to have no base, a description of
6 the registered vehicle and such other statement of facts as may be
7 determined by the department.
8 2. The certificate of ownership must contain upon the face thereof the
9 date issued, the name and address of the registered owner and the owner or
10 lienholder, if any, a description of the vehicle, any entries required by NRS
11 482.423 to 482.428, inclusive, a reading of the vehicle's odometer as
12 provided to the department by the person making the sale or transfer, the
13 word "rebuilt" if it is a rebuilt vehicle, and such other statement of facts as
14 may be determined by the department. The reverse side of the certificate of
15 ownership must contain forms for notice to the department of a transfer of
16 the title or interest of the owner or lienholder and application for
17 registration by the transferee. If a new certificate of ownership is issued for

1 a vehicle, it must contain the same information as the replaced certificate,
2 except to the extent that the information has changed after the issuance of
3 the replaced certificate. *Except as otherwise required by federal law, the*
4 *certificate of ownership of a vehicle which the department knows to have*
5 *been stolen must not contain any statement or other indication that the*
6 *mileage specified in the certificate or registered on the odometer is*
7 *anything other than the actual mileage traveled by the vehicle, in the*
8 *absence of proof that the odometer of the vehicle has been disconnected,*
9 *reset or altered.*

10 **Sec. 2.** NRS 482.470 is hereby amended to read as follows:

11 482.470 1. If any vehicle is dismantled, junked or rendered
12 inoperative and unfit for further use in accordance with the original purpose
13 for which it was constructed, the owner shall deliver to the department any
14 certificate of registration and certificate of ownership issued by the
15 department or any other jurisdiction, unless the certificate of ownership is
16 required for the collection of any insurance or other indemnity for the loss
17 of the vehicle, or for transfer in order to dispose of the vehicle.

18 2. Any other person taking possession of a vehicle described in
19 subsection 1 shall immediately deliver to the department any license plate
20 or plates, certificate of registration or certificate of ownership issued by the
21 department or any other jurisdiction, if he has acquired possession of any of
22 these and unless the certificate of ownership is required for a further
23 transfer in the ultimate disposition of the vehicle.

24 3. The department may issue a ~~{certificate of dismantling,}~~ *salvage title*
25 as provided in chapter 487 of NRS. The department shall not charge a fee
26 for the issuance of the ~~{certificate,}~~ *salvage title.*

27 4. The department shall destroy any plate or plates, certificate of
28 registration or certificate of ownership that is returned in a manner
29 described in subsections 1 and 2. The department shall not issue a
30 certificate of registration or certificate of ownership for a vehicle with the
31 same identification number as the dismantled, junked or inoperative vehicle
32 if the vehicle was manufactured in the 5 years preceding the date on which
33 it was dismantled, junked or otherwise rendered inoperative, unless the
34 department authorizes the restoration of the vehicle pursuant to subsection
35 2 of NRS 482.553.

36 **Sec. 3.** NRS 487.100 is hereby amended to read as follows:

37 487.100 1. Except as otherwise provided in subsection 2, any
38 automobile wrecker purchasing from any person other than a licensed
39 operator of a salvage pool, any vehicle subject to registration pursuant to
40 the laws of this state shall forward to the department the certificates of
41 ownership and registration last issued therefor.

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

4 3. The state agency may issue to the licensee a ~~{certificate of~~
5 ~~dismantling,}~~ **salvage title** containing a brief description of the vehicle,
6 including, insofar as data may exist with respect to the vehicle, the make,
7 type, serial number and motor number, or any other number of the vehicle.
8 The state agency shall not charge a fee for the issuance of the ~~{certificate,}~~
9 **salvage title**.

10 **Sec. 4.** NRS 487.120 is hereby amended to read as follows:

11 487.120 1. If the applicant for a ~~{certificate of dismantling}~~ **salvage**
12 **title** is unable to furnish the certificates of ownership and registration last
13 issued for the vehicle or a bill of sale of salvage, the state agency may
14 accept the application, examine the circumstances of the case and require
15 the filing of suitable affidavits or other information or documents. If
16 satisfied that the applicant is entitled to a ~~{certificate of dismantling,}~~
17 **salvage title**, the state agency may issue the ~~{certificate,}~~ **salvage title**.

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

22 **Sec. 5.** NRS 487.130 is hereby amended to read as follows:

23 487.130 If any person acquires a vehicle as transferee for the purpose
24 of dismantling or wrecking ~~{the same,}~~ **it**, the title to the vehicle ~~{shall}~~
25 **must** be transferred to the person without payment of any fee upon
26 application for the issuance of a ~~{certificate of dismantling,}~~ **salvage title**.

27 **Sec. 6.** NRS 487.150 is hereby amended to read as follows:

28 487.150 No vehicle for which a ~~{certificate of dismantling}~~ **salvage**
29 **title** has been issued may subsequently be registered until it has been
30 inspected by the department and found to be in a safe mechanical condition
31 and equipped with safety glass.

32 **Sec. 7.** NRS 487.160 is hereby amended to read as follows:

33 487.160 1. The department, after notice and hearing, may suspend,
34 revoke or refuse to renew a license of an automobile wrecker upon
35 determining that the automobile wrecker:

36 (a) Is not lawfully entitled thereto;

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

39 (c) Has failed to return a ~~{certificate of dismantling}~~ **salvage title** to the
40 state agency when and as required of him by NRS 487.045 to 487.190,
41 inclusive; or

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

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

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

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

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

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

12 (c) Willfully fails to comply with any provision of NRS 487.045 to
13 487.190, inclusive.

14 (d) Fails to furnish and keep in force any bond required by NRS
15 487.050 to 487.190, inclusive.

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

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

21 (g) Has been convicted of a felony.

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

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

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

30 6. The department may refuse to review a subsequent application for
31 licensing submitted by any person who violates any provision of this
32 chapter.

33 7. Upon the receipt of any report or complaint alleging that an
34 applicant or a licensee has engaged in financial misconduct or has failed to
35 satisfy any financial obligation related to the business of dismantling,
36 scrapping, processing or wrecking of vehicles, the department may require
37 the applicant or licensee to submit to the department an authorization for
38 the disclosure of financial records for the business as provided in NRS
39 239A.090. The department may use any information obtained pursuant to
40 such an authorization only to determine the suitability of the applicant or
41 licensee for initial or continued licensure. Information obtained pursuant to
42 such an authorization may be disclosed only to those employees of the
43 department who are authorized to issue a license to an applicant pursuant to

1 NRS 487.050 to 487.200, inclusive, or to determine the suitability of an
2 applicant or a licensee for such licensure.

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

8 **Sec. 8.** NRS 487.250 is hereby amended to read as follows:

9 487.250 1. The state agency or political subdivision shall, within 48
10 hours after the appraisal, notify the head of the state agency of the removal
11 of the vehicle. The notice must contain:

12 (a) A description of the vehicle.

13 (b) The appraised value of the vehicle.

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

16 2. The person who removed the vehicle must notify the registered
17 owner and any person having a security interest in the vehicle by registered
18 or certified mail that the vehicle has been removed and will be junked or
19 dismantled or otherwise disposed of unless the registered owner or the
20 person having a security interest in the vehicle responds and pays the costs
21 of removal.

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

25 4. If all recorded interests in a vehicle appraised at \$500 or less are
26 waived, either as provided in subsection 3 or by written disclaimer by any
27 person having an interest in the vehicle, the state agency shall issue a
28 ~~{certificate of dismantling}~~ **salvage title** to the automobile wrecker who
29 towed the vehicle or to whom the vehicle may have been delivered, or a
30 certificate of ownership to the garage owner if he elects to retain the vehicle
31 and the vehicle is equipped as required by chapter 484 of NRS.

32 **Sec. 9.** NRS 487.270 is hereby amended to read as follows:

33 487.270 1. Whenever a vehicle has been removed to a garage or
34 other place as provided by NRS 487.230, the owner of the garage or the
35 automobile wrecker who towed the vehicle has a lien on the vehicle for the
36 costs of towing and storing for a period not exceeding 90 days.

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

42 3. If the vehicle is appraised at a value of more than \$500 and is not
43 reclaimed within 45 days, the owner of the garage or automobile wrecker

1 may satisfy his lien, in accordance with the provisions of NRS 108.265 to
2 108.360, inclusive.

3 **Sec. 10.** NRS 487.480 is hereby amended to read as follows:

4 487.480 1. Before an operator of a salvage pool sells any vehicle
5 subject to registration pursuant to the laws of this state, he must have in his
6 possession the certificate of ownership or a bill of sale of salvage for that
7 vehicle. He shall, within 10 days after completion of the transaction,
8 forward the certificate of ownership or bill of sale of salvage to the
9 department. The department shall not issue a certificate of registration or
10 certificate of ownership for a vehicle with the same identification number if
11 the vehicle was manufactured in the 5 years preceding the date on which
12 the operator forwards the certificates to the department, unless the
13 department authorizes the restoration of the vehicle pursuant to subsection
14 2 of NRS 482.553.

15 2. Upon sale of the vehicle, the operator of the salvage pool shall
16 provide a bill of sale of salvage to the licensed automobile wrecker, dealer
17 of new or used motor vehicles or rebuilder on a form prescribed and
18 supplied by the department. The department shall accept the bill of sale of
19 **salvage** in lieu of the certificate of ownership or other evidence of title
20 from the:

21 (a) Automobile wrecker, if **the bill of sale of salvage is** accompanied by
22 an appropriate application for a ~~certificate of dismantling;~~ **salvage title;**
23 or

24 (b) Dealer of new or used motor vehicles or rebuilder when he licenses
25 the vehicle for operation or transfers ownership of it, if the bill of sale of
26 **salvage** is accompanied by an appropriate application, all other required
27 documents and fees, and a certificate of inspection signed by an employee
28 of the department attesting to the mechanical fitness and safety of the
29 vehicle.

30 3. The department may issue to:

31 (a) The licensed automobile wrecker;

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

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

35 (d) An automobile wrecker or dismantler who is licensed in another
36 state ~~;~~ **or foreign country and is registered**
37 **with a salvage pool,**

38 **a salvage title** that contains a brief description of the vehicle, including,
39 insofar as data may exist with respect to the vehicle, the make, type, serial
40 number and motor number, or any other number of the vehicle. Except as
41 otherwise provided in this subsection, the department shall charge and
42 collect a fee of \$10 for the issuance of a ~~certificate of dismantling;~~ **salvage**
43 **title** pursuant to this subsection. The department shall not charge such a fee

1 for the issuance of a ~~{certificate of dismantling}~~ *salvage title* to an
2 automobile wrecker licensed in this state. Fees collected by the department
3 pursuant to this subsection must be deposited with the state treasurer to the
4 credit of the account for regulation of salvage pools, automobile wreckers,
5 body shops and garages. Possession of a ~~{certificate of dismantling}~~
6 *salvage title* does not entitle a person to dismantle, scrap, process or wreck
7 any vehicle in this state unless the person holds a license issued pursuant to
8 NRS 487.050.
9 **Sec. 11.** This act becomes effective upon passage and approval.

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