

ASSEMBLY BILL NO. 679—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF BUDGET DIVISION)

MARCH 22, 1999

Referred to Committee on Transportation

SUMMARY—Partially reorganizes department of motor vehicles and public safety.
(BDR 43-1609)

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 ~~for omitted material~~ is material to be omitted.

AN ACT relating to the department of motor vehicles and public safety; creating the motor vehicles branch and the public safety branch within the department; abolishing the registration division and drivers' license division of the department and transferring their duties to the motor vehicles branch of the department; 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.** Chapter 481 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. The motor vehicles branch consists of the following persons who***
4 ***are appointed by the director:***
5 ***(a) A deputy director; and***
6 ***(b) Within the limitations of legislative appropriation, such managers,***
7 ***specialists, investigators and staff, who are employed in the classified***
8 ***service of the state, as the director determines to be necessary to carry out***
9 ***the duties of the department.***
10 ***2. The deputy director of the motor vehicles branch shall:***
11 ***(a) Administer the laws relating to motor vehicles and the licensing of***
12 ***drivers, as provided in NRS 481.048, 481.0481 and 481.071; and***
13 ***(b) Maintain records and other information relating to motor vehicles***
14 ***and the licensing of drivers, as provided in NRS 481.048, 481.0481 and***
15 ***481.071.***

1 **Sec. 2.** NRS 481.048 is hereby amended to read as follows:

2 481.048 1. There is hereby created, within the ~~{registration division}~~
3 *motor vehicles branch* of the department, ~~{the bureau of enforcement.}~~ *a*
4 *division of compliance enforcement.*

5 2. The director shall appoint, within the limits of legislative
6 appropriations, investigators ~~{in the bureau of enforcement of the~~
7 ~~registration division of the department.}~~ *for the division.*

8 3. The duties of the investigators are to travel the state and:

9 (a) Act as investigators in the enforcement of the provisions of chapters
10 482 and 487 of NRS, NRS 108.265 to 108.360, inclusive, and 108.440 to
11 108.500, inclusive, as those sections pertain to motor vehicles, trailers,
12 motorcycles, recreational vehicles and semitrailers, as defined in chapter
13 482 of NRS.

14 (b) Act as adviser to dealers in connection with any problems arising
15 under the provisions of that chapter.

16 (c) Cooperate with personnel of the Nevada highway patrol in the
17 enforcement of the motor vehicle laws as they pertain to dealers.

18 (d) *Act as investigators in the enforcement of the provisions of NRS*
19 *483.700 to 483.780, inclusive, relating to the licensing of schools and*
20 *instructors for training drivers.*

21 (e) Perform such other duties as may be imposed by the director.

22 **Sec. 3.** NRS 481.0481 is hereby amended to read as follows:

23 481.0481 1. There is hereby created, within the ~~{registration~~
24 ~~division}~~ *motor vehicles branch* of the department, a section for the control
25 of emissions from vehicles.

26 2. The director shall appoint, within the limits of legislative
27 appropriations, investigators, officers and technicians for the control of
28 emissions from vehicles.

29 3. The duties of the investigators, officers and technicians are to travel
30 the state and:

31 (a) Act as agents and inspectors in the enforcement of the provisions of
32 NRS 445B.700 to 445B.845, inclusive, chapter 482 of NRS , and NRS
33 484.644 and 484.6441.

34 (b) Cooperate with the division of environmental protection of the state
35 department of conservation and natural resources in all matters pertaining
36 to the control of emissions from vehicles.

37 (c) Perform such other duties as may be imposed by the director.

38 **Sec. 4.** NRS 481.053 is hereby amended to read as follows:

39 481.053 1. The governor shall appoint the peace officers' standards
40 and training committee.

41 2. The committee consists of seven members, one appointed from
42 Clark County, one from Washoe County, three from any other counties, one
43 from category II peace officers and one from category III peace officers.

1 Members serve terms of 2 years from the date of appointment. Members
2 serve without compensation but are entitled to the per diem allowance and
3 travel expenses provided by law for state officers and employees generally.

4 3. The governor shall make the appointments from recommendations
5 submitted by Clark County, Washoe County, professional organizations of
6 sheriffs and police chiefs of this state, category II peace officers and
7 category III peace officers.

8 4. The committee shall:

9 (a) Meet at the call of the chairman, who must be elected by the
10 members of the committee.

11 (b) Provide for and encourage the training and education of peace
12 officers in order to improve the system of criminal justice.

13 (c) Adopt regulations establishing minimum standards for the
14 certification and decertification, recruitment, selection and training of peace
15 officers.

16 (d) Make necessary inquiries to determine whether agencies of the state
17 and of local governments are complying with standards set forth in its
18 regulations.

19 (e) Carry out the duties required of the committee pursuant to NRS
20 432B.610 and 432B.620.

21 5. Regulations adopted by the committee:

22 (a) Apply to all agencies of the state and of local governments which
23 employ persons as peace officers;

24 (b) Must require that all peace officers receive training in the handling
25 of cases involving abuse or neglect of children or missing children; and

26 (c) May require that training be carried on at institutions which it
27 approves in those regulations.

28 6. The director may adopt regulations necessary for the operation of
29 the committee and the enforcement of laws administered by the committee.

30 7. As used in this section:

31 (a) "Category II peace officer" means:

32 (1) The bailiff of the supreme court;

33 (2) The bailiffs of the district courts, justices' courts and municipal
34 courts whose duties require them to carry weapons and make arrests;

35 (3) Constables and their deputies whose official duties require them to
36 carry weapons and make arrests;

37 (4) Inspectors employed by the transportation services authority who
38 exercise those powers of enforcement conferred by chapters 706 and 712 of
39 NRS;

40 (5) Parole and probation officers;

41 (6) Special investigators who are employed full time by the office of
42 any district attorney or the attorney general;

1 (7) Investigators of arson for fire departments who are specially
2 designated by the appointing authority;

3 (8) The assistant and deputies of the state fire marshal;

4 (9) The brand inspectors of the division of agriculture of the
5 department of business and industry who exercise the powers of
6 enforcement conferred in chapter 565 of NRS;

7 (10) Investigators for the state forester firewarden who are specially
8 designated by him and whose primary duties are the investigation of arson;

9 (11) School police officers employed by the board of trustees of any
10 county school district;

11 (12) Agents of the state gaming control board who exercise the
12 powers of enforcement specified in NRS 289.360, 463.140 or 463.1405,
13 except those agents whose duties relate primarily to auditing, accounting,
14 the collection of taxes or license fees, or the investigation of applicants for
15 licenses;

16 (13) Investigators and administrators of the ~~the bureau~~ **division** of
17 **compliance** enforcement of the ~~the registration division~~ **motor vehicles**
18 **branch** of the department of motor vehicles and public safety who perform
19 the duties specified in subsection 3 of NRS 481.048;

20 (14) Officers and investigators of the section for the control of
21 emissions from vehicles of the ~~the registration division~~ **motor vehicles**
22 **branch** of the department of motor vehicles and public safety who perform
23 the duties specified in subsection 3 of NRS 481.0481;

24 (15) Legislative police officers of the State of Nevada;

25 (16) The personnel of the capitol police division of the department of
26 motor vehicles and public safety appointed pursuant to subsection 2 of
27 NRS 331.140;

28 (17) Parole counselors of the division of child and family services of
29 the department of human resources;

30 (18) Juvenile probation officers and deputy juvenile probation
31 officers employed by the various judicial districts in the State of Nevada or
32 by a department of family, youth and juvenile services established pursuant
33 to NRS 62.1264 whose official duties require them to enforce court orders
34 on juvenile offenders and make arrests;

35 (19) Field investigators of the taxicab authority;

36 (20) Security officers employed full time by a city or county whose
37 official duties require them to carry weapons and make arrests;

38 (21) The chief of a department of alternative sentencing created
39 pursuant to NRS 211A.080 and the assistant alternative sentencing officers
40 employed by that department; and

41 (22) Criminal investigators who are employed by the secretary of
42 state.

(b) "Category III peace officer" means peace officers whose authority is limited to correctional services, and includes the superintendents and correctional officers of the department of prisons.

Sec. 5. NRS 481.057 is hereby amended to read as follows:

481.057 In counties with a population in excess of 100,000, the director may arrange for the office of the ~~{drivers' license division}~~ **motor vehicles branch of the department** to remain open on Saturdays and Sundays and at hours other than 8 a.m. to 5 p.m.

Sec. 6. NRS 481.067 is hereby amended to read as follows:

481.067 1. The department ~~{may include:~~

~~—(a) A registration division.~~

~~—(b) A drivers' license division.~~

~~—(c)}~~ **consists of:**

(a) A motor vehicles branch that includes:

(1) A division of compliance enforcement.

(2) A division of field services.

(3) A division of central services and records.

(4) A division of management services and programs.

(b) A public safety branch that includes:

(1) A Nevada highway patrol division.

~~{(d)}~~ **(2) An administrative services division.**

~~{(e)}~~ **(3) An investigation division.**

~~{(f)}~~ **(4) A division of emergency management.**

~~{(g)}~~ **(5) A state fire marshal division.**

~~{(h)}~~ **(6) A division of parole and probation.**

~~{(i)}~~ **(7) A capitol police division.**

~~{(j)}~~ **(8) A training division.**

(c) Such other branches or divisions as the director may from time to time establish.

2. Before he reorganizes the department, the director shall obtain the approval of:

(a) The legislature, if it is in regular session; or

(b) The interim finance committee, if the legislature is not in regular session.

Sec. 7. NRS 481.071 is hereby amended to read as follows:

481.071 1. Any change in the organization of the department may include the **branches**, divisions, functions and responsibilities described in subsection 2 but must not include those described in ~~{paragraph (e), (h) or (i)}~~ **paragraphs (d), (g) and (h)** of that subsection.

2. Unless the organization of the department is changed by the director, the primary functions and responsibilities of the specified **branches and divisions** of the department are as follows:

(a) The ~~{registration — division}~~ **motor vehicles branch** shall:

1 (1) Execute, administer and enforce the provisions of chapter 482 of
2 NRS and perform such duties and exercise such powers as may be
3 conferred upon it pursuant to chapter 482 of NRS and the provisions of any
4 other laws;

5 (2) Execute and administer the laws relative to the licensing of motor
6 vehicle carriers and the use of public highways by those carriers as
7 contained in chapter 706 of NRS;

8 (3) Perform such duties and exercise such powers as may be
9 conferred upon it pursuant to chapter 706 of NRS ; ~~and the provisions of~~
10 ~~any other laws;~~

11 (4) Execute and administer the provisions of chapter 366 of NRS,
12 relating to the imposition and collection of taxes on special fuels used for
13 motor vehicles; ~~and~~

14 (5) Perform such duties and exercise such powers as may be
15 conferred upon it pursuant to chapter 366 of NRS ~~and the provisions of~~
16 ~~any other laws.~~

17 ~~—(b) The drivers' license division shall execute,;~~

18 (6) *Execute*, administer and enforce the provisions of chapter 483 of
19 NRS and perform such duties and exercise such powers as may be
20 conferred upon it pursuant to chapter 483 of NRS ~~and the provisions of~~
21 ~~any other laws.~~

22 ~~—(c);~~

23 (7) *Execute, administer and enforce the provisions of chapter 485*
24 *of NRS and perform such duties and exercise such powers as may be*
25 *conferred upon it pursuant to chapter 485 of NRS;*

26 (8) *Execute, administer and enforce the laws relating to the*
27 *licensing of drivers of motorcycles and similar vehicles in accordance*
28 *with the provisions of chapter 486 of NRS;*

29 (9) *Execute, administer and enforce the provisions of chapter 487*
30 *of NRS and perform such duties and exercise such powers as may be*
31 *conferred upon it pursuant to chapter 487 of NRS; and*

32 (10) *Execute, administer and enforce the provisions of chapter 108*
33 *of NRS and perform such duties and exercise such powers relating to*
34 *liens on vehicles as may be conferred upon it pursuant to chapter 108 of*
35 *NRS or the provisions of any other laws.*

36 (b) The administrative services division shall furnish fiscal , ~~and~~
37 accounting *and other administrative* services to the director and the
38 various *branches and* divisions , and advise and assist the director and the
39 various *branches and* divisions in carrying out their functions and
40 responsibilities.

41 ~~{(d)}~~ (c) The investigation division shall:

(1) Execute, administer and enforce the provisions of chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs;

(2) Assist the secretary of state in carrying out an investigation pursuant to NRS 293.124; and

(3) Perform such duties and exercise such powers as may be conferred upon it pursuant to this chapter and any other laws.

~~[(e)]~~ (d) The Nevada highway patrol division shall execute, administer and enforce the provisions of chapter 484 of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to NRS 481.180 and the provisions of any other laws.

~~[(f)]~~ (e) The division of emergency management shall execute, administer and enforce the provisions of chapter 414 of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 414 of NRS and the provisions of any other laws.

~~[(g)]~~ (f) The state fire marshal division shall execute, administer and enforce the provisions of chapter 477 of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 477 of NRS and the provisions of any other laws.

~~[(h)]~~ (g) The division of parole and probation shall execute, administer and enforce the provisions of chapters 176A and 213 of NRS relating to parole and probation and perform such duties and exercise such powers as may be conferred upon it pursuant to those chapters and the provisions of any other ~~law.~~

~~[(i)]~~ laws.

(h) The capitol police division shall assist the chief of the buildings and grounds division of the department of administration in the enforcement of subsection 1 of NRS 331.140.

(i) The training division shall provide training to the employees of the department.

Sec. 8. NRS 482.102 is hereby amended to read as follows:

482.102 "Registered owner" means ~~[an individual,]~~ *a natural person,* firm, corporation or association whose name appears in the files of the motor ~~[vehicle registration division]~~ *vehicles branch* of the department as the person to whom the vehicle is registered.

Sec. 9. NRS 482.379 is hereby amended to read as follows:

482.379 1. The director may order the design and preparation of license plates which commemorate the 125th anniversary of Nevada's admission into the Union and establish the procedures for the application and issuance of the plates.

2. The department may designate any colors, numbers and letters for the commemorative

plates.

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

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

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

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

17 7. If during a registration year, the holder of commemorative plates
18 issued pursuant to the provisions of this section disposes of the vehicle to
19 which the plates are affixed, he may retain the plates and:

20 (a) Within 30 days after removing the plates from the vehicle, return
21 them to the department; or

22 (b) Affix them to another vehicle which meets the requirements of this
23 section if the transfer and registration fees are paid as is provided for in this
24 chapter. A person who transfers plates must be allowed a ~~1/12~~ **one-**
25 **twelfth** reduction in fees for each calendar month remaining unused from
26 the previous registration.

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

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

35 (a) Deposit the \$25 collected for the celebration of the 125th
36 anniversary of Nevada's admission into the Union with the state treasurer
37 for credit to the account for Nevada's 125th anniversary in the state general
38 fund;

39 (b) Deposit \$7.50 with the state treasurer for credit to the motor vehicle
40 fund pursuant to the provisions of NRS 482.180; and

41 (c) Deposit \$2.50 with the state treasurer for credit to the ~~registration~~
42 ~~division~~ **motor vehicles branch** of the department ~~of motor vehicles and~~

1 ~~public safety~~ to reimburse the ~~{division}~~ *motor vehicles branch of the*
2 *department* for the cost of manufacturing the license plates.

3 10. The department shall not:

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

5 (b) Issue replacement commemorative license plates after June 30,
6 1995.

7 **Sec. 10.** NRS 482.383 is hereby amended to read as follows:

8 482.383 1. The ~~{registration division}~~ *motor vehicles branch* of the
9 department may issue a special use permit for the operation of any
10 unregistered and unlicensed vehicle upon any highway in ~~{the}~~ *this* state to
11 enable such a vehicle to operate in connection with special events, such as
12 parades.

13 2. A permit issued pursuant to subsection 1 must be in a form
14 prescribed by the department and must limit the use of the vehicle for
15 which it is issued to movement for the purpose set forth in the application
16 for the permit. Such a permit must be affixed to the vehicle in a manner and
17 position determined by the department and must be canceled, destroyed or
18 surrendered under such rules as the department may prescribe.

19 3. The ~~{registration division}~~ *motor vehicles branch* of the department
20 shall charge a fee of \$2 for each permit issued pursuant to subsection 1.

21 **Sec. 11.** NRS 483.382 is hereby amended to read as follows:

22 483.382 1. No later than 30 days before the expiration of his license,
23 the ~~{drivers' license division}~~ *motor vehicles branch* of the department
24 shall mail to each licensee who has not already renewed his license an
25 expiration notice.

26 2. The department may require an applicant for a renewal license
27 successfully to pass such additional ~~{test}~~ *tests* as the department finds
28 reasonably necessary to determine his qualification according to the type or
29 class of license applied for.

30 **Sec. 12.** NRS 483.390 is hereby amended to read as follows:

31 483.390 Whenever any person after applying for or receiving a driver's
32 license moves from the address named in ~~{such}~~ *the* application or in the
33 license issued to him, or when the name of a licensee is changed, ~~{such}~~
34 *that* person shall within 10 days thereafter notify the ~~{drivers' license~~
35 ~~division}~~ *motor vehicles branch* of the department of his new and old
36 addresses, or of such former and new names, and of the number of any
37 license then held by him.

38 **Sec. 13.** NRS 484.247 is hereby amended to read as follows:

39 484.247 1. The department shall prepare and upon request supply to
40 police departments, sheriffs and other appropriate agencies or persons
41 forms for written accident reports as required in this chapter, suitable with
42 respect to the persons required to make the reports and the purposes to be
43 served. The forms must be designed to call for sufficiently detailed

1 information to disclose with reference to an accident the cause, conditions
2 then existing, the persons and vehicles involved, the name and address of
3 the insurance company, the number of the policy providing coverage and
4 the dates on which the coverage begins and ends.

5 2. The form prepared for a report to be made by persons pursuant to
6 NRS 484.229 must call for such information as is required by the ~~{drivers'}~~
7 ~~license division}~~ **motor vehicles branch** of the department to enable it to
8 determine whether the requirements for the deposit of security under
9 chapter 485 of NRS are inapplicable. The ~~{division}~~ **motor vehicles branch**
10 **of the department** may rely upon the accuracy of information supplied by a
11 driver or owner on the form unless the ~~{division}~~ **it** has reason to believe
12 that the information is erroneous.

13 3. Every accident report required to be made in writing must be made
14 on the appropriate form approved by the department and must contain all
15 the information required therein unless it is not available.

16 **Sec. 14.** NRS 485.108 is hereby amended to read as follows:

17 485.108 "Registered owner" means a person whose name appears in
18 the records of the ~~{registration division}~~ **motor vehicles branch** of the
19 department as the person to whom the vehicle is registered.

20 **Sec. 15.** NRS 485.130 is hereby amended to read as follows:

21 485.130 1. The ~~{division}~~ **motor vehicles branch of the department**
22 shall:

23 (a) Administer and enforce the provisions of this chapter.

24 (b) Provide for hearings upon request of persons aggrieved by orders or
25 acts of the ~~{division}~~ **motor vehicles branch of the department** under the
26 provisions of NRS 485.185 to 485.300, inclusive.

27 2. The ~~{division}~~ **motor vehicles branch of the department** may adopt
28 regulations necessary for the administration of this chapter.

29 **Sec. 16.** NRS 485.135 is hereby amended to read as follows:

30 485.135 The ~~{division}~~ **motor vehicles branch of the department** shall
31 upon request furnish any person a certified abstract of the operating record
32 of any person subject to the provisions of this chapter, which abstract
33 ~~{shall}~~ **must** also fully designate the motor vehicles, if any, registered in the
34 name of ~~{such}~~ **that** person, and, if there ~~{shall be}~~ **is** no record of any
35 conviction of ~~{such}~~ **that** person of violating any law relating to the
36 operation of a motor vehicle or of any injury or damage caused by ~~{such}~~
37 **that** person, the ~~{division}~~ **motor vehicles branch of the department** shall
38 so certify.

39 **Sec. 17.** NRS 485.137 is hereby amended to read as follows:

40 485.137 1. The ~~{division}~~ **motor vehicles branch of the department**
41 shall publish a leaflet which summarizes and explains the requirements and
42 provisions of this chapter.

43 2. The department shall:

1 (a) Make copies of the leaflet available without charge to all licensed
2 drivers in this state, to all public school pupils who are of driving age, and
3 to the public.

4 (b) Cause a copy of the leaflet to be delivered to each applicant for a
5 new registration of a vehicle.

6 (c) Enclose a copy of the leaflet with each application for a renewal of
7 registration of a vehicle which is mailed to the applicant pursuant to law.

8 **Sec. 18.** NRS 485.140 is hereby amended to read as follows:

9 485.140 Any person aggrieved by a final decision in a contested case
10 before the ~~{division}~~ **motor vehicles branch of the department** under this
11 chapter is entitled to judicial review of the decision in the manner provided
12 by chapter 233B of NRS.

13 **Sec. 19.** NRS 485.190 is hereby amended to read as follows:

14 485.190 1. If 20 days after the receipt of a report of an accident
15 involving a motor vehicle within this state which has resulted in bodily
16 injury or death, or damage to the property of any one person in excess of
17 \$750, the ~~{division}~~ **motor vehicles branch of the department** does not
18 have on file evidence satisfactory to it that the person who would otherwise
19 be required to file security under subsection 2 of this section has been
20 released from liability, has been finally adjudicated not to be liable or has
21 executed an acknowledged written agreement providing for the payment of
22 an agreed amount in installments with respect to all claims for injuries or
23 damages resulting from the accident, the ~~{division}~~ **motor vehicles branch**
24 **of the department** shall upon request set the matter for a hearing as
25 provided in NRS 485.191.

26 2. The ~~{division}~~ **motor vehicles branch of the department** shall, at
27 any time after a determination adverse to an operator or owner pursuant to
28 NRS 485.191, suspend the license of each operator and all registrations of
29 each owner of a motor vehicle involved in such an accident, and, if the
30 operator is a nonresident, the privilege of operating a motor vehicle within
31 this state, and, if the owner is a nonresident, the privilege of the use within
32 this state of any motor vehicle owned by him, unless the operator or owner,
33 or both, deposit security in the sum so determined by the ~~{division}~~ **motor**
34 **vehicles branch of the department**. Notice of such a suspension must be
35 sent by the ~~{division}~~ **motor vehicles branch of the department** to the
36 operator and owner not less than 10 days before the effective date of the
37 suspension and must state the amount required as security. ~~{Where}~~ **If**
38 erroneous information is given to the ~~{division}~~ **motor vehicles branch of**
39 **the department** with respect to the matters set forth in paragraph (a), (b) or
40 (c) of subsection 1 of NRS 485.200, the ~~{division}~~ **motor vehicles branch**
41 **of the department** shall take appropriate action as provided in this section
42 after it receives correct information with respect to those matters.

1 **Sec. 20.** NRS 485.191 is hereby amended to read as follows:

2 485.191 1. Any operator or owner of a motor vehicle who was
3 involved in an accident and who is not exempt from the requirements of
4 depositing security by the provisions of NRS 485.200, is entitled to a
5 hearing before the director or his representative before a determination of
6 the amount of security required pursuant to NRS 485.190, and before the
7 suspension of his operator's license or registration as provided in
8 subsection 2 of NRS 485.190. The hearing must be held in the county of
9 residence of the operator. If the operator and owner reside in different
10 counties and the hearing would involve both of them, the hearing must be
11 held in the county which will be the most convenient for the summoning of
12 witnesses.

13 2. The owner or operator must be given at least 30 days' notice of the
14 hearing in writing with a brief explanation of the proceedings to be taken
15 against him and the possible consequences of a determination adverse to
16 him.

17 3. If the operator or owner desires a hearing, he shall, within 15 days,
18 notify the ~~{division,}~~ *motor vehicles branch of the department* in writing of
19 his intention. If he does not send this notice within the 15 days, he waives
20 his right to a hearing, ~~{}~~ except that, the director may for good cause
21 shown permit the owner a later opportunity for a hearing.

22 **Sec. 21.** NRS 485.200 is hereby amended to read as follows:

23 485.200 1. The requirements as to security and suspension in NRS
24 485.190 to 485.300, inclusive, do not apply:

25 (a) To the operator or owner if he had in effect at the time of the
26 accident a motor vehicle liability policy with respect to the motor vehicle
27 involved in the accident;

28 (b) To the operator if there was in effect at the time of the accident a
29 motor vehicle liability policy with respect to his operation of any motor
30 vehicle;

31 (c) To the operator or owner if his liability for damages resulting from
32 the accident is, in the judgment of the ~~{division,}~~ *motor vehicles branch of*
33 *the department*, covered by any other form of liability insurance policy or a
34 bond;

35 (d) To any person qualifying as a self-insurer pursuant to NRS 485.380,
36 or to any person operating a motor vehicle for the self-insured;

37 (e) To the operator or the owner of a motor vehicle involved in an
38 accident wherein no injury or damage was caused to the person or property
39 of anyone other than the operator or owner;

40 (f) To the operator or the owner of a motor vehicle legally parked at the
41 time of the accident;

42 (g) To the owner of a motor vehicle if at the time of the accident the
43 vehicle was being operated without his permission, express or implied, or

1 was parked by a person who had been operating the motor vehicle without
2 permission; or

3 (h) If, before the date that the ~~{division}~~ *motor vehicles branch of the*
4 *department* would otherwise suspend the license and registration or
5 nonresident's operating privilege pursuant to NRS 485.190, there is filed
6 with the ~~{division}~~ *motor vehicles branch of the department* evidence
7 satisfactory to it that the person who would otherwise have to file security
8 has been released from liability or has received a determination in his favor
9 at a hearing conducted pursuant to NRS 485.191, or has been finally
10 adjudicated not to be liable or has executed an acknowledged written
11 agreement providing for the payment of an agreed amount in installments,
12 with respect to all claims for injuries or damages resulting from the
13 accident.

14 2. An owner who is not the operator of the motor vehicle is not exempt
15 from the requirements as to security and suspension in NRS 485.190 to
16 485.300, inclusive, if he holds a motor vehicle liability policy which
17 provides coverage only when he is operating the motor vehicle and, at the
18 time of the accident, another person is operating the motor vehicle with the
19 express or implied permission of the owner.

20 **Sec. 22.** NRS 485.220 is hereby amended to read as follows:

21 485.220 1. The security required pursuant to NRS 485.190 to
22 485.300, inclusive, must be in such a form and amount as the ~~{division}~~
23 *motor vehicles branch of the department* may require, but in no case in
24 excess of the limits specified in NRS 485.210 in reference to the acceptable
25 limits of a policy or bond.

26 2. The person depositing the security shall specify in writing the person
27 or persons on whose behalf the deposit is made and, at any time while the
28 deposit is in the custody of the ~~{division}~~ *motor vehicles branch of the*
29 *department* or the state treasurer, the person depositing it may, in writing,
30 amend the specification of the person or persons on whose behalf the
31 deposit is made to include an additional person or persons, but a single
32 deposit of security is applicable only on behalf of persons required to
33 furnish security because of the same accident.

34 **Sec. 23.** NRS 485.230 is hereby amended to read as follows:

35 485.230 1. The license, all registrations and the nonresident's
36 operating privilege suspended as provided in NRS 485.190 must remain so
37 suspended and may not be renewed nor may any license or registration be
38 issued to any such person until:

39 (a) He deposits or there is deposited on his behalf the security required
40 under NRS 485.190;

41 (b) Two years have elapsed following the date of the accident and
42 evidence satisfactory to the ~~{division}~~ *motor vehicles branch of the*

1 **department** has been filed with it that during that period no action for
2 damages arising out of the accident has been instituted; or

3 (c) Evidence satisfactory to the ~~{division}~~ **motor vehicles branch of the**
4 **department** has been filed with it of a release from liability, or a final
5 adjudication of nonliability, or an acknowledged written agreement, in
6 accordance with NRS 485.190.

7 2. Upon any default in the payment of any installment under any
8 acknowledged written agreement, and upon notice of the default, the
9 ~~{division}~~ **motor vehicles branch of the department** shall suspend the
10 license and all registrations or the nonresident's operating privilege of the
11 person defaulting, which may not be restored until:

12 (a) The person deposits and thereafter maintains security as required
13 under NRS 485.190 in such an amount as the ~~{division}~~ **motor vehicles**
14 **branch of the department** may then determine; or

15 (b) One year has elapsed following the date of default, or 2 years
16 following the date of the accident, whichever is greater, and during that
17 period no action upon the agreement has been instituted in a court in this
18 state.

19 3. Proof of financial responsibility, as set forth in NRS 485.307, is an
20 additional requirement for reinstatement of the operator's license and
21 registrations under this section. He shall maintain proof of financial
22 responsibility for 3 years after the date of reinstatement of the license in
23 accordance with the provisions of this chapter. If he fails to do so the
24 ~~{division}~~ **motor vehicles branch of the department** shall suspend the
25 license and registrations.

26 **Sec. 24.** NRS 485.240 is hereby amended to read as follows:

27 485.240 1. If the operator or the owner of a motor vehicle involved
28 in an accident within this state has no license or registration, or is a
29 nonresident, he must not be allowed a license or registration until he has
30 complied with the requirements of NRS 485.190 to 485.300, inclusive, to
31 the same extent that would be necessary if, at the time of the accident, he
32 had held a license and registration.

33 2. When a nonresident's operating privilege is suspended pursuant to
34 NRS 485.190 or 485.230, the ~~{division}~~ **motor vehicles branch of the**
35 **department** shall transmit a certified copy of the record of that action to the
36 ~~{official}~~ **officer** in charge of the issuance of licenses and registration
37 certificates in the state in which the nonresident resides, if the law of that
38 state provides for action in relation thereto similar to that provided for in
39 subsection 3.

40 3. Upon receipt of a certification that the operating privilege of a
41 resident of this state has been suspended or revoked in any other state
42 pursuant to a law providing for its suspension or revocation for failure to
43 deposit security for the payment of judgments arising out of a motor vehicle

1 accident, under circumstances which would require the ~~{division}~~ **motor**
2 **vehicles branch of the department** to suspend a nonresident's operating
3 privilege had the accident occurred in this state, the ~~{division}~~ **motor**
4 **vehicles branch of the department** shall suspend the license of the resident
5 if he was the operator, and all of his registrations if he was the owner of a
6 motor vehicle involved in that accident. The suspension must continue until
7 the resident furnishes evidence of his compliance with the law of the other
8 state relating to the deposit of ~~{such}~~ **that** security.

9 **Sec. 25.** NRS 485.250 is hereby amended to read as follows:

10 485.250 The ~~{division}~~ **motor vehicles branch of the department** may
11 reduce the amount of security ordered in any case within 6 months after the
12 date of the accident if, in its judgment, the amount ordered is excessive. In
13 case the security originally ordered has been deposited, the excess
14 deposited over the reduced amount ordered ~~{shall}~~ **must** be returned to the
15 depositor or his personal representative forthwith, notwithstanding the
16 provisions of NRS 485.270.

17 **Sec. 26.** NRS 485.260 is hereby amended to read as follows:

18 485.260 Security deposited pursuant to the requirements of NRS
19 485.190 to 485.300, inclusive, must be placed by the ~~{division}~~ **motor**
20 **vehicles branch of the department** in the custody of the state treasurer.

21 **Sec. 27.** NRS 485.280 is hereby amended to read as follows:

22 485.280 A deposit or any balance thereof must be returned to the
23 depositor or his personal representative:

24 1. When evidence satisfactory to the ~~{division}~~ **motor vehicles branch**
25 **of the department** has been filed with it that there has been a release from
26 liability, a final adjudication of nonliability or an acknowledged agreement,
27 in accordance with paragraph (h) of subsection 1 of NRS 485.200; or

28 2. If 2 years after the date of the accident or 1 year ~~{from}~~ **after** the
29 date of deposit of any security under NRS 485.230, whichever period is
30 longer, the ~~{division}~~ **motor vehicles branch of the department** is given
31 reasonable evidence that there is no action pending and no judgment
32 rendered in such an action left unpaid.

33 **Sec. 28.** NRS 485.290 is hereby amended to read as follows:

34 485.290 1. In cases where a return to a depositor or his personal
35 representative is authorized and warranted under NRS 485.280 but the
36 address or present whereabouts of the depositor is unknown and cannot be
37 readily ascertained by the ~~{division,}~~ **motor vehicles branch of the**
38 **department**, the security deposited may, 90 days after its return would be
39 authorized by NRS 485.280, be transferred from the custody of the state
40 treasurer to the state highway fund for the general use of the department of
41 transportation upon the written and certified request of the ~~{division,}~~

42 **motor vehicles branch of the department.**

2. The request made by the ~~{division}~~ *motor vehicles branch of the department* must state the names of the parties, the dates and a concise statement of the facts involved and must be forwarded in duplicate to the state controller and the state treasurer.

3. The state controller and the state treasurer are directed to transfer the amounts of security deposits from the custody of the state treasurer to the state highway fund ~~{in order}~~ to effectuate the purposes of this section upon being satisfied that the provisions of this chapter have been complied with.

4. If the depositor of the security or his rightful heirs or legatees, within 5 years after the transfer of the deposit to the state highway fund, present a verified claim to the ~~{division}~~ *motor vehicles branch of the department* and make proof of the validity of ~~{such}~~ *the* claim, the ~~{division,}~~ *motor vehicles branch of the department*, if it is satisfied as to the validity of the claim, may determine the amount thereby found to be due and certify it to the state controller who shall draw his warrant therefor on the state treasurer, who shall pay the warrant out of the state highway fund.

5. If the ~~{division}~~ *motor vehicles branch of the department* denies the validity of the claim, the claimant, upon notice to the attorney general, has a right to appeal to the First Judicial District Court of the State of Nevada, in and for Carson City, and present his proof of the validity of the claim. If, after hearing, the court is satisfied the claimant is rightfully entitled to the deposit, the court shall enter a decree that the money be paid to him. The decree must be certified to the state board of examiners, stating the amount thereby found to be due, and the state board of examiners shall allow the amount and certify it to the state controller who shall draw his warrant therefor on the state treasurer, who shall pay the warrant out of the state highway fund.

6. The amounts in the custody of the state treasurer on March 19, 1955, falling under the provisions of this section, may be transferred to the state highway fund, after the expiration of 90 days from March 19, 1955, in accordance with the provisions of this section.

Sec. 29. NRS 485.300 is hereby amended to read as follows:

485.300 Any action taken by the ~~{division}~~ *motor vehicles branch of the department* pursuant to NRS 485.190 to 485.300, inclusive, the findings, if any, of the ~~{division}~~ *motor vehicles branch of the department* upon which the action is based and the security filed pursuant to NRS 485.190 to 485.300, inclusive, are privileged against disclosure at the trial of any action at law to recover damages.

Sec. 30. NRS 485.301 is hereby amended to read as follows:

485.301 1. Whenever any person fails within 60 days to satisfy any judgment, the judgment creditor or his attorney may forward to the ~~{division}~~ *motor vehicles branch of the department* immediately after the expiration of the 60 days a certified copy of the judgment.

2. If the defendant named in any certified copy of a judgment reported to the ~~{division}~~ **motor vehicles branch of the department** is a nonresident, the ~~{division}~~ **motor vehicles branch of the department** shall transmit a certified copy of the judgment to the ~~{official}~~ **officer** in charge of the issuance of licenses and registration certificates of the state in which the defendant is a resident.

Sec. 31. NRS 485.302 is hereby amended to read as follows:

485.302 1. The ~~{division}~~ **motor vehicles branch of the department** **shall**, upon the receipt of a certified copy of a judgment, ~~{shall}~~ suspend the license, all registrations and any nonresident's operating privilege of any person against whom the judgment was rendered, except as otherwise provided in this section and in NRS 485.305.

2. If the judgment creditor consents in writing, in such a form as the ~~{division}~~ **motor vehicles branch of the department** may prescribe, that the judgment debtor be allowed a license and registration or nonresident's operating privilege, it may be allowed by the ~~{division}~~ **motor vehicles branch of the department** until the consent is revoked in writing, notwithstanding default in the payment of the judgment or of any installments thereof prescribed in NRS 485.305, if the judgment debtor furnishes proof of financial responsibility as provided in NRS 485.307. The debtor shall maintain proof of financial responsibility for 3 years after the date of reinstatement of the license pursuant to the provisions of this chapter. If he fails to do so, the ~~{division}~~ **motor vehicles branch of the department** shall suspend his license and registrations.

Sec. 32. NRS 485.305 is hereby amended to read as follows:

485.305 1. A judgment debtor upon ~~{due}~~ notice to the judgment creditor may apply to the court in which the judgment was rendered for the privilege of paying the judgment in installments and the court, without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the installments.

2. The ~~{division}~~ **motor vehicles branch of the department** shall not suspend a license, registration or a nonresident's operating privilege, and shall restore any license, registrations or nonresident's operating privilege suspended following nonpayment of a judgment, ~~{when}~~ **if** the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of the judgment in installments, and while the payment of any such installment is not in default. The requirements of this section for reinstatement of a license, registration or privilege are in addition to the requirements of NRS 485.307.

3. If the judgment debtor fails to pay any installment as specified by such an order, ~~{then}~~ upon notice of ~~{such}~~ **the** default, the ~~{division}~~ **motor vehicles branch of the department** shall forthwith suspend the license,

1 registrations or nonresident's operating privilege of the judgment debtor
2 until the judgment is satisfied, as provided in this chapter.

3 **Sec. 33.** NRS 485.3075 is hereby amended to read as follows:

4 485.3075 A person whose license or registrations are suspended for
5 failure to maintain proof of financial responsibility as required pursuant to
6 this Title must provide proof of financial responsibility pursuant to NRS
7 485.307 before his license or registrations will be reinstated. ~~He~~ **The**
8 **person** must maintain proof of financial responsibility for 3 years after the
9 date of the reinstatement of his license pursuant to the provisions of this
10 chapter. If he fails to do so, the ~~division~~ **motor vehicles branch of the**
11 **department** shall suspend his license and registrations.

12 **Sec. 34.** NRS 485.308 is hereby amended to read as follows:

13 485.308 1. Proof of financial responsibility may be furnished by
14 filing with the ~~division~~ **motor vehicles branch of the department** the
15 written certificate of any insurance carrier authorized to do business in this
16 state certifying that there is in effect a motor vehicle liability policy for the
17 benefit of the person required to furnish proof of financial responsibility.
18 The certificate must specify its effective date and:

19 (a) If the policy is an owner's policy of liability insurance, designate by
20 appropriate reference all motor vehicles covered by it; or

21 (b) If the policy is an operator's policy of liability insurance, designate
22 the person covered.

23 2. The department may authorize the filing of the certificates described
24 in subsection 1 by electronic transmission or any other means deemed
25 appropriate by the department.

26 3. An insurance carrier that certifies the existence of a motor vehicle
27 liability policy pursuant to subsection 1, must notify the ~~division~~ **motor**
28 **vehicles branch of the department** at least 10 days before the cancellation
29 or termination of the policy.

30 **Sec. 35.** NRS 485.309 is hereby amended to read as follows:

31 485.309 1. The nonresident owner of a motor vehicle not registered
32 in this state or a nonresident operator of a motor vehicle may give proof of
33 financial responsibility by filing with the ~~division~~ **motor vehicles branch**
34 **of the department** a written certificate of an insurance carrier authorized to
35 transact business:

36 (a) If the insurance provides coverage for the vehicle, in the state in
37 which the motor vehicle described in the certificate is registered; or

38 (b) If the insurance provides coverage for the operator only, in the state
39 in which the insured resides,

40 if the certificate otherwise conforms to the provisions of this chapter.

41 2. The ~~division~~ **motor vehicles branch of the department** shall
42 accept the proof upon condition that the insurance carrier complies with the
43 following provisions with respect to the policies so certified:

1 (a) The insurance carrier shall execute a power of attorney authorizing
2 the director to accept service on its behalf of notice or process in any action
3 arising out of an accident involving a motor vehicle in this state; and

4 (b) The insurance carrier shall agree in writing that the policies shall be
5 deemed to conform with the laws of this state relating to the terms of
6 liability policies for owners of motor vehicles.

7 3. If any insurance carrier not authorized to transact business in this
8 state, which has qualified to furnish proof of financial responsibility,
9 defaults in any undertakings or agreements, the ~~{division}~~ **motor vehicles**
10 **branch of the department** shall not thereafter accept as proof any
11 certificate of that carrier whether theretofore filed or thereafter tendered as
12 proof, ~~{so}~~ **as** long as the default continues.

13 **Sec. 36.** NRS 485.3092 is hereby amended to read as follows:

14 485.3092 When an insurance carrier has issued a motor vehicle
15 liability policy, the insurance so issued must not be canceled or terminated
16 until at least 10 days after a notice of cancellation or termination of the
17 insurance has been mailed first class or delivered to the insured and, if the
18 insurance carrier has certified the policy under NRS 485.308 or 485.309, a
19 notice has also been filed in the office of the ~~{division}~~ **motor vehicles**
20 **branch of the department**. A policy subsequently procured and certified,
21 on the effective date of its certification, terminates the insurance previously
22 certified with respect to any motor vehicle designated or the person named
23 as the insured operator in both certificates. If the effective date of the
24 termination is within 3 years after the date of reinstatement of a license,
25 registration or privilege, the ~~{division}~~ **motor vehicles branch of the**
26 **department** shall suspend the license and registration or privilege.

27 **Sec. 37.** NRS 485.3098 is hereby amended to read as follows:

28 485.3098 Whenever any proof of financial responsibility filed under
29 the provisions of this chapter no longer fulfills the purposes for which
30 required, the ~~{division}~~ **motor vehicles branch of the department** shall, for
31 the purpose of this chapter, require other proof as required by this chapter
32 and shall suspend the license and registration or the nonresident's operating
33 privilege pending the filing of such other proof.

34 **Sec. 38.** NRS 485.3099 is hereby amended to read as follows:

35 485.3099 1. The ~~{division}~~ **motor vehicles branch of the department**
36 shall, upon request, consent to the immediate cancellation of any
37 certificate of financial responsibility ~~{, or the division shall}~~ **or** waive the
38 requirement of filing proof of financial responsibility, in any of the
39 following events:

40 (a) At any time after 3 years ~~{from}~~ **after** the date the proof of financial
41 responsibility was required when, during the 3-year period preceding the
42 request, the ~~{division}~~ **motor vehicles branch of the department** has not
43 received a record of a conviction or a forfeiture of bail which would require

1 or permit the suspension or revocation of the license, registration or
2 nonresident's operating privilege of the person by or for whom the proof of
3 financial responsibility was furnished;

4 (b) ~~In the event of the~~ **The** death of the person on whose behalf the
5 proof of financial responsibility was filed or the permanent incapacity of
6 the person to operate a motor vehicle; or

7 (c) If the person who is required to file proof of financial responsibility
8 surrenders his license and registration to the ~~division.~~ **motor vehicles**
9 **branch of the department.**

10 2. If a person who surrenders his license and registration pursuant to
11 paragraph (c) of subsection 1 applies for a license or registration within a
12 period of 3 years after the date proof of financial responsibility was
13 originally required, the application must be refused unless the applicant
14 reestablishes proof of financial responsibility for the remainder of the
15 3-year period.

16 **Sec. 39.** NRS 485.320 is hereby amended to read as follows:

17 485.320 1. If the license of any person is suspended as provided in
18 this chapter, he shall immediately return the license to the ~~division.~~ **motor**
19 **vehicles branch of the department.** If his registration is suspended, he shall
20 immediately return the certificate of registration and the license plates to
21 the ~~division.~~ **motor vehicles branch of the department.**

22 2. If any person fails to return any item as required by subsection 1, the
23 ~~division~~ **motor vehicles branch of the department** shall forthwith direct
24 any peace officer to secure possession thereof and to return the item to the
25 ~~division.~~ **motor vehicles branch of the department.**

26 3. A person who owns a dormant vehicle who desires to cancel the
27 policy of liability insurance covering that vehicle or to allow such a policy
28 to expire:

29 (a) Shall, on or before the date on which the policy is canceled or
30 expires, cancel the registration of the vehicle to which that policy pertains.

31 (b) May, if he presents the license plates for that vehicle to the
32 authorized personnel of the ~~division~~ **motor vehicles branch of the**
33 **department** for the removal and destruction of the sticker or other device
34 evidencing the current registration of the vehicle, retain for potential
35 reinstatement the license plates for a period not to exceed 1 year.

36 4. The department shall adopt regulations which define "extended
37 period," "mechanical circumstances" and "seasonal circumstances" for the
38 purposes of NRS 485.0335.

39 **Sec. 40.** NRS 485.326 is hereby amended to read as follows:

40 485.326 1. The department shall suspend the license of any person
41 convicted of violating the provisions of paragraph (a) of subsection 1 of
42 NRS

485.187.

2. Any license suspended pursuant to subsection 1 must remain suspended until the person shows proof of financial responsibility as set forth in NRS 485.307. The person shall maintain proof of financial responsibility for 3 years after the reinstatement of his license pursuant to the provisions of this chapter, and if he fails to do so, the ~~division~~ **motor vehicles branch of the department** shall suspend any license previously suspended pursuant to subsection 1.

Sec. 41. NRS 485.380 is hereby amended to read as follows:

485.380 1. Any person in whose name more than 10 motor vehicles are registered in the State of Nevada may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the ~~division~~ **motor vehicles branch of the department** as provided in subsection 2.

2. The ~~division~~ **motor vehicles branch of the department** may, upon the application of such a person, issue a certificate of self-insurance when:

(a) It is satisfied that he possesses and will continue to possess the ability to pay judgments obtained against him; and

(b) The person provides security to satisfy judgments against him in an amount prescribed by regulation of the department.

3. The certificate of self-insurance must include:

(a) The name and address of the self-insurer;

(b) The expiration date of the self-insurance; and

(c) The statements:

(1) "Self-insured"; and

(2) "This certificate of self-insurance or a photocopy thereof must be carried in the motor vehicle which is self-insured for production on demand."

4. Upon not less than 5 days' notice and a hearing pursuant to the notice, the ~~division~~ **motor vehicles branch of the department** may, upon reasonable grounds, cancel a certificate of self-insurance. Failure to pay any judgment within 30 days after it becomes final constitutes a reasonable ground for the cancellation of a certificate of self-insurance.

5. The department shall adopt regulations which set forth the amount of security which must be provided by a self-insurer pursuant to subsection 2.

Sec. 42. NRS 485.385 is hereby amended to read as follows:

485.385 Whenever the ~~division~~ **motor vehicles branch of the department** has taken any action or has failed to take any action under this chapter by reason of having received erroneous information or by reason of having received no information, ~~then~~ upon receiving correct information within 2 years after the date of the accident the ~~division~~ **motor vehicles branch of the department** shall take appropriate action to carry out the purposes ~~and effect~~ of this chapter. The foregoing does not require the ~~division~~ **motor vehicles branch of the department** to reevaluate the amount of any deposit required under this chapter.

1 **Sec. 43.** NRS 487.230 is hereby amended to read as follows:

2 487.230 1. Any sheriff, constable, member of the Nevada highway
3 patrol, officer of the legislative police, investigator of the ~~{bureau of}~~
4 **division of compliance** enforcement of the ~~{registration division}~~ **motor**
5 **vehicles branch** of the department, personnel of the capitol police division
6 of the department, designated employees of the manufactured housing
7 division of the department of business and industry, special investigator
8 employed by the office of a district attorney, marshal or policeman of a city
9 or town, or a marshal or park ranger who is part of a unit of specialized law
10 enforcement established pursuant to NRS 280.125 who has reason to
11 believe that a vehicle has been abandoned on public property in his
12 jurisdiction may remove the vehicle from that property. At the request of
13 the owner or person in possession or control of private property who has
14 reason to believe that a vehicle has been abandoned on his property, the
15 vehicle may be removed by the operator of a tow car or an automobile
16 wrecker from that private property.

17 2. A person who authorizes the removal of an abandoned vehicle
18 pursuant to subsection 1 shall:

19 (a) Have the vehicle taken to the nearest garage or other place
20 designated for storage by:

21 (1) The state agency or political subdivision making the request, if the
22 vehicle is removed from public property.

23 (2) The owner or person in possession or control of the property, if
24 the vehicle is removed from private property.

25 (b) Make all practical inquiries to ascertain if the vehicle is stolen by
26 checking the license plate number, vehicle identification number and other
27 available information which will aid in identifying the registered and legal
28 owner of the vehicle and supply the information to the person who is
29 storing the vehicle.

30 **Sec. 44.** NRS 108.2679 is hereby amended to read as follows:

31 108.2679 “Registered owner” means:

32 1. A person whose name appears in the files of the manufactured
33 housing division of the department of business and industry as the person to
34 whom the mobile home or manufactured home is registered, but does not
35 include:

36 (a) A creditor who holds title to the mobile home or manufactured
37 home; or

38 (b) The owner or holder of a lien encumbering the mobile home or
39 manufactured home.

40 2. A person whose name appears in the files of the ~~{registration~~
41 ~~division}~~ **motor vehicles branch** of the department of motor vehicles and
42 public safety as the person to whom the vehicle is registered.

1 **Sec. 45.** NRS 108.310 is hereby amended to read as follows:

2 108.310 Subject to the provisions of NRS 108.315, the lien created in
3 NRS 108.270 to 108.360, inclusive, may be satisfied as follows:

4 1. The lien claimant shall give written notice to the person on whose
5 account the storing, maintaining, keeping, repairing, labor, fuel, supplies,
6 facilities, services or accessories were made, done or given, and to any
7 other person known to have or to claim an interest in the motor vehicle,
8 aircraft, motorcycle, motor or aircraft equipment, aircraft parts, trailer,
9 recreational vehicle, mobile home or manufactured home, upon which the
10 lien is asserted, and to the:

11 (a) Manufactured housing division of the department of business and
12 industry with regard to mobile homes, manufactured homes, and
13 commercial coaches as defined in chapter 489 of NRS; or

14 (b) ~~{Registration division}~~ **Motor vehicles branch** of the department of
15 motor vehicles and public safety with regard to all other items included in
16 this section.

17 2. In accordance with the terms of a notice so given, a sale by auction
18 may be ~~{had}~~ **held** to satisfy any valid claim which has become a lien on the
19 motor vehicle, aircraft, motorcycle, motor or aircraft equipment, aircraft
20 parts, trailer, recreational vehicle, mobile home or manufactured home. The
21 sale must be ~~{had}~~ **held** in the place where the lien was acquired, or, if that
22 place is manifestly unsuitable for the purpose, at the nearest suitable place.

23 3. After the time for the payment of the claim specified in the notice
24 has elapsed, an advertisement of the sale, describing the motor vehicle,
25 aircraft, motorcycle, motor or aircraft equipment, aircraft parts, trailer,
26 recreational vehicle, mobile home or manufactured home to be sold, and
27 stating the name of the owner or person on whose account it is held, and the
28 time and place of the sale, must be published once a week for 3 consecutive
29 weeks in a newspaper published in the place where the sale is to be held,
30 but if no newspaper is published in that place, then in ~~{some}~~ **a** newspaper
31 published in this state ~~{and having}~~ **that has** a general circulation in that
32 place. The sale must not be held less than 22 days after the time of the first
33 publication.

34 4. From the proceeds of the sale the lien claimant who furnished the
35 services, labor, fuel, accessories, facilities or supplies shall satisfy his lien,
36 including the reasonable charges of notice, advertisement and sale. The
37 balance, if any, of the proceeds must be delivered, on demand, to the
38 person to whom he would have been bound to deliver, or justified in
39 delivering, the motor vehicle, aircraft, motorcycle, motor or aircraft
40 equipment, aircraft parts, trailer, recreational vehicle, mobile home or
41 manufactured home.

Sec. 46. NRS 108.315 is hereby amended to read as follows:

108.315 1. Any landlord who desires to enforce a lien for unpaid rent or rent and utilities under the provisions of NRS 108.270 to 108.360, inclusive, must within 15 days after the rent is 30 days past due, make a demand in writing upon the registered owner of the recreational vehicle, mobile home or manufactured home, for the amount due, stating that a lien is claimed on the recreational vehicle, mobile home or manufactured home. A copy of the demand must be sent to every holder of a security interest and every person who is listed in the records of the manufactured housing division of the department of business and industry as holding an ownership or other interest in, and every tenant or subtenant of, the recreational vehicle, mobile home or manufactured home, and to the:

(a) Manufactured housing division of the department of business and industry, with regard to mobile homes and manufactured homes; or

(b) ~~Registration division~~ **Motor vehicles branch** of the department of motor vehicles and public safety, with regard to recreational vehicles, by registered or certified mail.

2. To obtain the name and address of a holder of a security interest or a person who is listed in the records of the manufactured housing division of the department of business and industry as holding an ownership or other interest in the recreational vehicle, mobile home or manufactured home, the landlord shall, before making the demand for payment, request that information from the:

(a) Manufactured housing division of the department of business and industry, with regard to mobile homes, manufactured homes, and commercial coaches as defined in chapter 489 of NRS; or

(b) Department of motor vehicles and public safety, with regard to all other vehicles,

and the state agency shall supply that information from its records. If the recreational vehicle, mobile home or manufactured home is registered in another state, territory or country, the landlord shall, before making the demand for payment, obtain the information from the appropriate agency of that state, territory or country.

3. A landlord who enforces a lien for unpaid rent may recover an amount equal to:

(a) The amount of the unpaid rent;

(b) The cost of any advertising and notices required pursuant to NRS 108.270 to 108.360, inclusive;

(c) The cost and fees ordered by a court in any action contesting the validity of a lien; and

(d) The cost of a sale, if a sale by auction is made pursuant to the provisions of NRS

108.310.

1 4. No recreational vehicle, mobile home or manufactured home may be
2 sold for delinquent rent or rent and utilities until 4 months have elapsed
3 after the first default in payment, and a notice of lien has been served
4 pursuant to subsection 1. At least 10 days but not more than 30 days before
5 a sale, a written notice of sale by auction must be sent to the registered
6 owner and tenant or subtenant and to every holder of a security interest and
7 every person who is listed in the records of the manufactured housing
8 division of the department of business and industry as holding an
9 ownership or other interest in the recreational vehicle, mobile home or
10 manufactured home by registered or certified mail stating that a sale by
11 auction of the recreational vehicle, mobile home or manufactured home is
12 to be made pursuant to the provisions of NRS 108.310. The written notice
13 of sale by auction must include the time and location of the sale, the
14 amount necessary to satisfy the lien and a description of the legal
15 proceeding available to contest the lien pursuant to NRS 108.350 and
16 108.355.

17 **Sec. 47.** NRS 289.270 is hereby amended to read as follows:

18 289.270 1. The following persons have the powers of a peace officer:

19 (a) The director of the department of motor vehicles and public safety.

20 (b) The chiefs of the divisions of the department of motor vehicles and
21 public safety.

22 (c) The deputy directors of the department of motor vehicles and public
23 safety employed pursuant to subsection 2 of NRS 481.035.

24 (d) The investigators and agents of the investigation division of the
25 department of motor vehicles and public safety and any other officer or
26 employee of that division whose principal duty is to enforce one or more
27 laws of this state, and any person promoted from such a duty to a
28 supervisory position related to such a duty.

29 (e) The personnel of the capitol police division of the department of
30 motor vehicles and public safety appointed pursuant to subsection 2 of
31 NRS 331.140.

32 2. The personnel of the Nevada highway patrol appointed pursuant to
33 subsection 2 of NRS 481.150 have the powers of a peace officer specified
34 in NRS 481.150 and 481.180.

35 3. Administrators and investigators of the ~~{bureau}~~ **division** of
36 **compliance** enforcement of the ~~{registration-division}~~ **motor vehicles**
37 **branch** of the department of motor vehicles and public safety have the
38 powers of a peace officer to enforce any law of the State of Nevada in
39 carrying out their duties under NRS 481.048.

40 4. Officers and investigators of the section for the control of emissions
41 from vehicles of the ~~{registration-division}~~ **motor vehicles branch** of the
42 department of motor vehicles and public safety, appointed pursuant to NRS

1 481.0481, have the powers of peace officers in carrying out their duties
2 under that section.

3 5. Members of the state disaster identification team of the division of
4 emergency management of the department of motor vehicles and public
5 safety who are, pursuant to NRS 414.270, activated by the chief of the
6 division during a state of emergency proclaimed pursuant to NRS 414.070
7 to perform the duties of the state disaster identification team, have the
8 powers of peace officers in carrying out those duties.

9 **Sec. 48.** NRS 293.504 is hereby amended to read as follows:

10 293.504 1. The following offices shall serve as voter registration
11 agencies:

12 (a) Such offices that provide public assistance as are designated by the
13 secretary of state;

14 (b) Each office that receives money from the State of Nevada to provide
15 services to persons in this state who are disabled;

16 (c) The offices of the ~~drivers' license division~~ **motor vehicles branch**
17 of the department of motor vehicles and public safety;

18 (d) The offices of the city and county clerks; and

19 (e) Such other offices as the secretary of state deems appropriate.

20 2. Each voter registration agency shall:

21 (a) Make applications to register to vote which may be returned by mail
22 available to each person who applies for or receives services or assistance
23 from the agency;

24 (b) Provide the same amount of assistance to an applicant in completing
25 an application to register to vote as the agency provides to a person
26 completing any other forms for the agency; and

27 (c) Accept completed applications to register to vote.

28 3. Except as otherwise provided in this subsection and NRS 293.524,
29 any application to register to vote accepted by a voter registration agency
30 must be transmitted to the county clerk not later than 10 days after the
31 application is accepted. During the 2 weeks immediately preceding the
32 close of registration for an election, the applications must be forwarded
33 daily. The county clerk shall accept any application to register to vote
34 which is completed by the last day to register if he receives the application
35 not later than 5 days after the close of registration.

36 4. The secretary of state shall cooperate with the Secretary of Defense
37 to develop and carry out procedures to enable persons in this state to apply
38 to register to vote at recruitment offices of the United States Armed Forces.

39 **Sec. 49.** NRS 445B.830 is hereby amended to read as follows:

40 445B.830 1. In areas of the state where and when a program is
41 commenced pursuant to NRS 445B.770 to 445B.815, inclusive, the
42 following fees must be paid to the department of motor vehicles and public

1 safety and accounted for in the pollution control account, which is hereby
2 created in the state general fund:

3 (a) For the issuance and annual renewal of license for an
4 authorized inspection station, authorized maintenance station,
5 authorized station or fleet station.....\$25

6 (b) For each set of 25 forms certifying emission control
7 compliance.....125

8 (c) For each form issued to a fleet station5

9 2. Except as otherwise provided in subsections 4, 5 and 6, all fees must
10 be used by that department as needed to carry out the provisions of NRS
11 445B.700 to 445B.845, inclusive.

12 3. The department of motor vehicles and public safety may prescribe
13 by regulation routine fees for inspection at the prevailing shop labor rate,
14 including maximum charges for those fees, and for the posting of those fees
15 in a conspicuous place at an authorized inspection station or authorized
16 station.

17 4. The department of motor vehicles and public safety shall by
18 regulation establish a program to award grants of:

19 (a) Money in the pollution control account to agencies in nonattainment
20 or maintenance areas for carbon monoxide for programs related to the
21 improvement of the quality of air. The amount of money granted must not
22 exceed that portion of the money in the pollution control account that
23 equals ~~{1/5}~~ **one-fifth** of the amount received for each form issued pursuant
24 to subsection 1.

25 (b) Excess money in the pollution control account to air pollution
26 control agencies established pursuant to NRS 445B.205 or 445B.500. As
27 used in this paragraph, "excess money" means the money in excess of
28 \$500,000 remaining in the pollution control account at the end of the fiscal
29 year.

30 5. Any regulations adopted pursuant to subsection 4 must provide for
31 the creation of an advisory committee consisting of representatives of state
32 and local agencies involved in the control of emissions from motor
33 vehicles. The committee shall:

34 (a) Review applications for grants and make recommendations for their
35 approval, rejection or modification;

36 (b) Establish goals and objectives for the program for control of
37 emissions from motor vehicles;

38 (c) Identify areas where funding should be made available; and

39 (d) Review and make recommendations concerning regulations adopted
40 pursuant to subsection 4 or NRS 445B.770.

41 6. Grants proposed pursuant to subsections 4 and 5 must be submitted
42 to the ~~{chief}~~ **deputy director** of the ~~{registration-division}~~ **motor vehicles**
43 **branch** of the department of motor vehicles and public safety and the

1 administrator of the division of environmental protection of the state
2 department of conservation and natural resources. Proposed grants
3 approved by the ~~{chief}~~ **deputy director** and the administrator must not be
4 awarded until approved by the interim finance committee.

5 **Sec. 50.** NRS 617.135 is hereby amended to read as follows:

6 617.135 “Police officer” includes:

7 1. A sheriff, deputy sheriff, officer of a metropolitan police department
8 or city policeman;

9 2. A chief, inspector supervisor, commercial officer or trooper of the
10 Nevada highway patrol;

11 3. A chief, investigator or agent of the investigation division of the
12 department of motor vehicles and public safety;

13 4. An officer or investigator **of the section** for the control of emissions
14 from vehicles of the ~~{registration division}~~ **motor vehicles branch** of the
15 department of motor vehicles and public safety;

16 5. An investigator of the ~~{bureau}~~ **division of compliance** enforcement
17 of the ~~{registration division}~~ **motor vehicles branch** of the department of
18 motor vehicles and public safety;

19 6. A member of the police department of the University and
20 Community College System of Nevada;

21 7. A:

22 (a) Uniformed employee of; or

23 (b) Forensic specialist employed by,
24 the department of prisons whose position requires regular and frequent
25 contact with the offenders imprisoned and subjects the employee to recall
26 in emergencies;

27 8. A parole and probation officer of the division of parole and
28 probation of the department of motor vehicles and public safety; and

29 9. A forensic specialist or correctional officer employed by the division
30 of mental health and developmental services of the department of human
31 resources at facilities for mentally disordered offenders.

32 **Sec. 51.** NRS 706.8828 is hereby amended to read as follows:

33 706.8828 1. A certificate holder shall file with the administrator, and
34 keep in effect at all times, a policy of insurance with an insurance company
35 licensed to do business in the State of Nevada.

36 2. The insurance policy specified in subsection 1 must:

37 (a) Provide the following coverage:

38 For injury to one person in any one accident.\$100,000

39 For injury to two or more persons in any one accident300,000

40 For property damage in any one accident..... 10,000
41

1 (b) Contain a clause which states substantially that the insurance
2 carrier may only cancel the policy upon 30 days' written notice to the
3 certificate holder and administrator; and

4 (c) Contain such other provisions concerning notice as may be required
5 by law to be given to the certificate holder.

6 3. If an insurance policy is canceled, the certificate holder shall not
7 operate or cause to be operated any taxicab that was covered by the policy
8 until other insurance is furnished.

9 4. A certificate holder to whom the ~~drivers' license division~~ **motor**
10 **vehicles branch** of the department of motor vehicles and public safety has
11 issued a certificate of self-insurance may self-insure the first \$50,000,
12 combined single-limit, per accident, of the coverage required by subsection
13 2.

14 **Sec. 52.** Section 25 of Assembly Bill No. 626 of this session is hereby
15 amended to read as follows:

16 **Sec. 25.** NRS 289.270 is hereby amended to read as follows:

17 289.270 1. The following persons have the powers of a peace
18 officer:

19 (a) The director of the department of motor vehicles and public
20 safety.

21 (b) The chiefs of the divisions of the department of motor
22 vehicles and public safety.

23 (c) The deputy directors of the department of motor vehicles and
24 public safety employed pursuant to subsection 2 of NRS 481.035.

25 (d) The investigators and agents of the investigation division of
26 the department of motor vehicles and public safety and any other
27 officer or employee of that division whose principal duty is to
28 enforce one or more laws of this state, and any person promoted
29 from such a duty to a supervisory position related to such a duty.

30 (e) The personnel of the capitol police division of the
31 department of motor vehicles and public safety appointed pursuant
32 to subsection 2 of NRS 331.140.

33 2. The personnel of the Nevada highway patrol appointed
34 pursuant to subsection 2 of NRS 481.150 have the powers of a
35 peace officer specified in NRS 481.150 and 481.180.

36 3. Administrators and investigators of the **division of**
37 **compliance enforcement** of the **motor vehicles branch of the**
38 department of motor vehicles and public safety have the powers of a
39 peace officer to enforce any law of the State of Nevada in carrying
40 out their duties under NRS 481.048.

41 4. Officers and investigators of the section for the control of
42 emissions from vehicles of the **motor vehicles branch** of the
43 department of motor vehicles and public safety, appointed pursuant

1 to NRS 481.0481, have the powers of peace officers in carrying out
2 their duties under that section.

3 5. Members of the state disaster identification team of the
4 division of emergency management of the department of motor
5 vehicles and public safety who are, pursuant to NRS 414.270,
6 activated by the chief of the division during a state of emergency **or**
7 **declaration of disaster** proclaimed pursuant to NRS 414.070 to
8 perform the duties of the state disaster identification team, have the
9 powers of peace officers in carrying out those duties.

10 **Sec. 53.** NRS 485.033 is hereby repealed.

11 **Sec. 54.** The Governor shall review the organization of the department
12 of motor vehicles and public safety as reorganized pursuant to the
13 amendatory provisions of this act, determine whether the organization of
14 the department requires any additional changes and notify the interim
15 finance committee before January 1, 2000, of his determination.
16 Notwithstanding any provision of Title 43 of NRS to the contrary, any
17 changes in the organization of the department of motor vehicles and public
18 safety included in the Governor's determination may be made upon
19 approval of the interim finance committee. A plan describing any such
20 changes must be approved by the Governor before it is submitted to the
21 interim finance committee for approval.

22 **Sec. 55.** Notwithstanding the provisions of chapter 284 of NRS and
23 any administrative regulations and personnel policies to the contrary:

24 1. Other than terminations and resignations, all personnel actions,
25 including, without limitation, appointments, transfers, promotions and the
26 filling of vacancies, that are carried out to implement, or are in any way
27 related to, the reorganization of the department of motor vehicles and
28 public safety pursuant to the amendatory provisions of this act shall be
29 deemed temporary actions until January 1, 2000.

30 2. A state officer or employee who through an appointment, transfer,
31 promotion or other personnel action that is made temporary by subsection 1
32 does not lose any rights or privileges of state employment except any right
33 to the specific temporary position.

34 **Sec. 56.** 1. The administrative regulations adopted by any officer,
35 bureau or division whose name is changed or whose authority to adopt
36 those regulations is transferred pursuant to the provisions of this act,
37 become the regulations of the officer, section, division, branch or
38 department to whom that authority is transferred.

39 2. The contracts or other agreements entered into by any officer,
40 bureau or division whose name is changed or whose authority to enter into
41 those contracts or other agreements is transferred pursuant to the provisions
42 of this act, are binding upon and may be enforced by the officer, division,
43 branch or department to whom the authority is transferred.

1 3. Any action taken by an officer, bureau or division whose name is
2 changed or whose authority to take that action is transferred pursuant to the
3 provisions of this act, remains in effect as if taken by the officer, section,
4 division, branch or department to whom, that authority is transferred.

5 **Sec. 57.** This act becomes effective upon passage and approval for the
6 purpose of authorizing any preliminary activities necessary to ensure that
7 the provisions of this act are carried out in an orderly fashion and, for all
8 other purposes:

9 1. This section and sections 1, 2, 3, 5 to 56, inclusive, and 58 of this
10 act become effective on July 1, 1999; and

11 2. Section 4 of this act becomes effective at 12:01 a.m. on July 1,
12 1999.

13 **Sec. 58.** The legislative counsel shall:

14 1. In preparing the reprint and supplements to the Nevada Revised
15 Statutes, appropriately change any reference to an officer, bureau, division
16 or other entity whose name is changed or whose responsibilities are
17 transferred pursuant to the provisions of this act to refer to the appropriate
18 officer, division, branch, department or other entity.

19 2. In preparing supplements to the Nevada Administrative Code,
20 appropriately change any reference to an officer, bureau, division or other
21 entity whose name is changed or whose responsibilities are transferred
22 pursuant to the provisions of this act to refer to the appropriate officer,
23 division, branch, department or other entity.

TEXT OF REPEALED SECTION

485.033 “Division” defined. “Division” means the drivers’ license
division of the department or any other division to which the director has
assigned responsibility for administration of this chapter.