

SENATE BILL NO. 201—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES
AND PUBLIC SAFETY)

FEBRUARY 16, 1999

Referred to Committee on Transportation

SUMMARY—Makes various changes concerning registration of vehicles and distribution of privilege taxes. (BDR 43-652)

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

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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 vehicles; revising the provisions governing the distribution of the privilege tax collected on certain vehicles; revising the provisions governing the registration of commercial vehicles and fleets of vehicles; 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 482 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***“Commercial vehicle” means a vehicle designed, maintained or used***
4 ***primarily for the transportation of property in furtherance of commercial***
5 ***enterprise.***
6 **Sec. 2.** NRS 482.010 is hereby amended to read as follows:
7 482.010 As used in this chapter, unless the context otherwise requires,
8 the words and terms defined in NRS 482.011 to 482.137, inclusive, ***and***
9 ***section 1 of this act,*** have the meanings ascribed to them in those sections.
10 **Sec. 3.** NRS 482.180 is hereby amended to read as follows:
11 482.180 1. The motor vehicle fund is hereby created as an agency
12 fund. Except as otherwise provided in subsection 4 or by a specific statute,
13 all money received or collected by the department must be deposited in the
14 state treasury for credit to the motor vehicle fund.

2. The interest and income on the money in the motor vehicle fund, after deducting any applicable charges, must be credited to the state highway fund.

3. Any check accepted by the department in payment of *the* vehicle privilege tax or any other fee required to be collected under this chapter must, if it is dishonored upon presentation for payment, be charged back against the motor vehicle fund or the county to which the payment was credited, in the proper proportion.

4. All money received or collected by the department for the basic vehicle privilege tax must be deposited in the local government tax distribution fund, created by NRS 360.660, for credit to the appropriate county pursuant to subsection 6.

5. Money for the administration of the provisions of this chapter must be provided by direct legislative appropriation from the state highway fund, upon the presentation of budgets in the manner required by law. Out of the appropriation the department shall pay every item of expense.

6. The privilege tax collected on vehicles subject to the provisions of chapter 706 of NRS and engaged in interstate ~~for intercounty~~ operation must be distributed among the counties in the following percentages:

Carson City	1.07 percent	Lincoln	3.12 percent
Churchill	5.21 percent	Lyon	2.90 percent
Clark	22.54 percent	Mineral	2.40 percent
Douglas	2.52 percent	Nye	4.09 percent
Elko	13.31 percent	Pershing	7.00 percent
Esmeralda	2.52 percent	Storey	.19 percent
Eureka	3.10 percent	Washoe	12.24 percent
Humboldt	8.25 percent	White Pine	5.66 percent
Lander	3.88 percent		

The distributions must be allocated among local governments within the respective counties pursuant to the provisions of NRS 482.181.

7. As commission to the department for collecting the privilege tax on vehicles subject to the provisions of this chapter and chapter 706 of NRS, the department shall deduct and withhold 1 percent of the privilege tax collected by a county assessor and 6 percent of the other privilege tax collected.

8. When the requirements of this section and NRS 482.181 have been met, and when directed by the department, the state controller shall transfer monthly to the state highway fund any balance in the motor vehicle fund.

9. If a statute requires that any money in the motor vehicle fund be transferred to another fund or account, the department shall direct the controller to transfer the money in accordance with the statute.

1 **Sec. 4.** NRS 482.206 is hereby amended to read as follows:

2 482.206 1. Except as otherwise provided in this section, every motor
3 vehicle ~~[, except for a motor vehicle that is registered pursuant to the~~
4 ~~provisions of NRS 706.801 to 706.861, inclusive, or which is a motor~~
5 ~~vehicle with a declared gross weight in excess of 26,000 pounds,]~~ **other**
6 **than a commercial vehicle** must be registered for a period of 12
7 consecutive months beginning the day after the first registration by the
8 owner in this state.

9 2. Every vehicle registered by an agent of the department or a
10 registered dealer must be registered for 12 consecutive months beginning
11 the first day of the month after the first registration by the owner in this
12 state.

13 3. Upon the application of the owner of a fleet of vehicles ~~[,]~~ **other**
14 **than a fleet of commercial vehicles**, the director may permit him to
15 register his fleet on the basis of a calendar year.

16 4. When the registration of any vehicle **other than a commercial**
17 **vehicle** is transferred pursuant to the provisions of NRS 482.3667, 482.379
18 or 482.399, the expiration date of each regular license plate, special license
19 plate or substitute decal must, at the time of the transfer of registration, be
20 advanced for a period of 12 consecutive months beginning:

21 (a) The first day of the month after the transfer, if the vehicle is
22 transferred by an agent of the department; or

23 (b) The day after the transfer in all other cases,
24 and a credit on the portion of the fee for registration and privilege tax
25 attributable to the remainder of the current period of registration allowed
26 pursuant to the applicable provisions of NRS 482.3667, 482.379 and
27 482.399.

28 5. **A commercial vehicle or a fleet of commercial vehicles must be**
29 **registered on the basis of a 12-month registration period that begins on**
30 **the first day of a calendar quarter.**

31 6. **As used in this section, "calendar quarter" means a period of 3**
32 **consecutive months beginning on January 1, April 1, July 1 or October**
33 **1, and ending on March 31, June 30, September 30 or December 31,**
34 **respectively.**

35 **Sec. 5.** NRS 482.481 is hereby amended to read as follows:

36 482.481 The registration fees for a ~~[motor truck, truck tractor, bus or~~
37 ~~combination of vehicles having a declared gross weight of 10,001 pounds~~
38 ~~or more]~~ **commercial vehicle** which is registered ~~[on the basis of a calendar~~
39 ~~year]~~ **pursuant to subsection 5 of NRS 482.206** must be reduced by one-
40 twelfth for each calendar month which has elapsed from the beginning of
41 the ~~[year]~~ **registration period** and rounded to the nearest dollar.

1 **Sec. 6.** NRS 482.482 is hereby amended to read as follows:

2 482.482 ~~{1.}~~ In addition to any other applicable fee listed in NRS
3 482.480, there must be paid to the department for the registration of every
4 motortruck, truck-tractor or bus which has a declared gross weight of:

5 ~~{(a)}~~ 1. Less than 6,000 pounds, a fee of \$33.

6 ~~{(b)}~~ 2. Not less than 6,000 pounds and not more than 8,499 pounds, a
7 fee of \$38.

8 ~~{(c)}~~ 3. Not less than 8,500 pounds and not more than 10,000 pounds,
9 a fee of \$48.

10 ~~{(d)}~~ 4. Not less than 10,001 pounds and not more than 26,000
11 pounds, a fee of \$12 for each 1,000 pounds or fraction thereof.

12 ~~{(e)}~~ 5. Not less than 26,001 pounds and not more than 80,000 pounds,
13 a fee of \$17 for each 1,000 pounds or fraction thereof. The maximum fee is
14 \$1,360.

15 ~~{2.} Except as otherwise provided in subsection 6, the original or~~
16 ~~renewal registration fees for fleets of vehicles with a declared gross weight~~
17 ~~in excess of 26,000 pounds and the tax imposed by the provisions of~~
18 ~~chapter 371 of NRS for the privilege of operating those vehicles may be~~
19 ~~paid in equal installments. Installments are due on or before January 31,~~
20 ~~April 1, July 1 and October 1 of each year. The amount of each installment~~
21 ~~must be determined by taking the total fee and privilege tax due for the~~
22 ~~calendar year and dividing that total by four. The department shall not~~
23 ~~allow installment payments for a vehicle added to a fleet after the original~~
24 ~~or renewal registration is issued.~~

25 ~~{3.} If the due date of any installment falls on a Saturday, Sunday or~~
26 ~~legal holiday, that installment is not due until the next following business~~
27 ~~day.~~

28 ~~{4.} Any payment required by subsection 2 shall be deemed received by~~
29 ~~the department on the date shown by the post office cancellation mark~~
30 ~~stamped on an envelope containing payment properly addressed to the~~
31 ~~department, if that date is earlier than the actual receipt of that payment.~~

32 ~~{5.} A person who fails to pay any fee pursuant to subsection 2 or~~
33 ~~privilege tax when due shall pay to the department a penalty of 10 percent~~
34 ~~of the amount of the unpaid fee, plus interest on the unpaid fee at the rate of~~
35 ~~1 percent per month or fraction of a month from the date the fee and tax~~
36 ~~were due until the date of payment.~~

37 ~~{6.} If a person fails to pay any fee pursuant to subsection 2 or privilege~~
38 ~~tax when due, the department may, in addition to the penalty provided for~~
39 ~~in subsection 5, require that person to pay:~~

40 ~~{(a)} The entire amount of the unpaid registration fee and privilege tax~~
41 ~~owed by that person for the remainder of the calendar year; and~~

1 ~~—(b) On an annual basis, any registration fee and privilege tax set forth in~~
2 ~~subsection 2 which may be incurred by that person in any subsequent~~
3 ~~calendar year.]~~

4 **Sec. 7.** NRS 485.313 is hereby amended to read as follows:

5 485.313 1. The department shall create a system for verifying that the
6 owners of motor vehicles maintain the insurance required by NRS 485.185.

7 2. As used in this section, “motor vehicle” does not include:

8 (a) A golf cart, as that term is defined in NRS 482.044.

9 (b) A motortruck, truck tractor, bus or other vehicle that is registered
10 pursuant to ~~[paragraph (e) of subsection 1]~~ **subsection 5** of NRS 482.482 or
11 NRS 706.801 to 706.861, inclusive.

12 **Sec. 8.** NRS 371.110 is hereby amended to read as follows:

13 371.110 ~~[Except as otherwise provided in NRS 482.482, the]~~ **The**
14 privilege tax is due on the first day of the registration year for the vehicle
15 concerned and must be paid at the same time as, and in conjunction with,
16 registration or renewal of registration of the vehicle.

17 **Sec. 9.** NRS 371.140 is hereby amended to read as follows:

18 371.140 1. Except as otherwise provided in subsection 3, ~~[and NRS~~
19 ~~482.482,]~~ if the privilege tax for a vehicle for the next period of registration
20 is not paid before the expiration of the current period of registration for that
21 vehicle, a penalty equal to 10 percent of the tax due, but not less than \$6,
22 plus the amount of the delinquent tax, must be added to the privilege tax
23 due for the next period of registration, unless the vehicle has not been
24 operated on the highways since the expiration of the prior registration. The
25 department may retain any penalty so collected.

26 2. Evidence of nonoperation of a vehicle must be made by an affidavit
27 executed by a person having knowledge of the fact. The affidavit must
28 accompany the application for renewal of registration.

29 3. The provisions of this section do not apply to vehicles registered
30 pursuant to NRS 706.841.

31 **Sec. 10.** NRS 706.851 is hereby amended to read as follows:

32 706.851 If any vehicle in a fleet is first registered after the final date
33 for the annual payment of fees **for that fleet** under the laws of this state as
34 they exist without NRS 706.801 to 706.861, inclusive, **the owner of** such
35 ~~[vehicles]~~ **a vehicle** shall pay fees in the amount provided by law for the
36 then registration of the vehicle, in the manner provided in NRS 706.841,
37 and ~~[such vehicle shall]~~ **the vehicle must**, after registration, be treated for
38 all purposes as otherwise provided for vehicles of a fleet.

39 **Sec. 11.** 1. Not later than January 31, 2000, the department of motor
40 vehicles and public safety shall send to the owner of each commercial
41 vehicle and fleet of commercial vehicles registered in this state a
42 questionnaire that allows the registered owner to indicate which registration
43 period he would prefer for the annual registration of the vehicle or fleet of

1 vehicles. If the registered owner has two or more vehicles or fleets of
2 vehicles, he may indicate different registration periods for each of the
3 vehicles or fleets of vehicles. The registered owner shall return the
4 questionnaire to the department not later than July 1, 2000.

5 2. On or after July 1, 2000, the department shall determine into which
6 registration period for annual registration each vehicle or fleet of vehicles
7 will be placed. The department shall make all reasonable efforts to place a
8 vehicle or fleet of vehicles into the registration period indicated by the
9 owner of the vehicle or fleet of vehicles on his questionnaire submitted
10 pursuant to subsection 1, but the department is not required to place a
11 vehicle or fleet of vehicles into a specific registration period based on the
12 expressed preference of the owner of the vehicle or fleet of vehicles.

13 3. Notwithstanding the amendatory provisions of section 4 of this act,
14 the initial registration period for a commercial vehicle or fleet of
15 commercial vehicles pursuant to subsection 5 of NRS 482.206:

16 (a) Begins on January 1, 2001; and

17 (b) Ends on September 30, 2001, December 31, 2001, March 31, 2002,
18 or June 30, 2002, as determined by the department.

19 **Sec. 12.** 1. This section and section 11 of this act become effective
20 upon passage and approval.

21 2. Sections 1 to 10, inclusive, of this act become effective on January
22 1, 2001.