REQUIRES TWO-THIRDS MAJORITY VOTE (§ 1)

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT **S.B. 444**

SENATE BILL NO. 444–SENATOR O'DONNELL

MARCH 15, 1999

Referred to Committee on Transportation

SUMMARY—Revises provisions governing distribution of certain fees charged by short-term lessors of motor vehicles. (BDR 43-1692)

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

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to motor vehicles; revising the provisions governing the distribution of certain fees charged by short-term lessors of motor vehicles; providing for a home or regional office credit; and providing other matters properly relating thereto.

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

Section 1. NRS 482.313 is hereby amended to read as follows:

482.313 1. Upon the lease of a passenger car by a short-term lessor in this state, the short-term lessor shall charge and collect from the short-term lessee a fee of 6 percent of the total amount for which the passenger car was leased, excluding any taxes or other fees imposed by a governmental entity. The amount of the fee must be indicated in the lease agreement.

2. On or before January 31 of each year, the short-term lessor shall:

(a) File with the department of taxation and the department of motor vehicles and public safety, on a form prescribed by the department of taxation, a report indicating the total amount of ~~[:~~

~~(1) Fees]~~ ***fees*** collected by the short-term lessor during the immediately preceding year pursuant to this section; and

~~[(2) Vehicle licensing fees and taxes paid by the short-term lessor during the immediately preceding year pursuant to this chapter.]~~

(b) Remit to the department of taxation ~~[:~~

~~(1) One-third of]~~ the fees collected by the short-term lessor during the immediately preceding year pursuant to this section ***.*** ~~[; and~~

~~(2) Of the remainder of those fees, any amount in excess of the total amount of vehicle licensing fees and taxes paid by the short-term lessor during the immediately preceding year pursuant to this chapter.]~~

3. ***Except as otherwise provided in this section, a short-term lessor that uses any building in this state as the home office of the short-term lessor or as a regional home office, as defined in subsection 4, is entitled to the following credits against the fee otherwise required by this section to be paid to the state:***

(a) An amount equal to 50 percent of the aggregate amount of the fee as determined pursuant to subsection 1; and

(b) An amount equal to the full amount of licensing fees and taxes paid by the short-term lessor during the immediately preceding year pursuant to this chapter.

These credits must not reduce the amount of the fees payable to less than 20 percent of the fees otherwise payable to the state by the short-term lessor pursuant to subsection 2.

4. For the purposes of this section, a "regional home office" means an office of the short-term lessor performing for an area covering two or more states, with a minimum of 25 employees on its office staff, the supervision and servicing of the business of the short-term lessor.

5. The short-term lessor shall on or before March 1 of each year furnish proof to the satisfaction of the executive director of the department of taxation, on forms furnished by or acceptable to the executive director, as to his entitlement to the reduction of the fees required to be remitted to the state pursuant to this section.

6. The department of taxation shall deposit all money received from short-term lessors pursuant to the provisions of this section with the state treasurer for credit to the state general fund.

~~[4.]~~ ***7.*** To ensure compliance with this section, the department of taxation may audit the records of a short-term lessor.

~~[5.]~~ ***8.*** The provisions of this section do not limit or affect the payment of any taxes or fees imposed pursuant to the provisions of this chapter.

~~[6.]~~ ***9.*** The department of motor vehicles and public safety shall, upon request, provide to the department of taxation any information in its records relating to a short-term lessor that the department of taxation considers necessary to collect the fee required by this section.

~~[7.]~~ ***10.*** As used in this section, "vehicle licensing fees and taxes" means:

(a) The fees paid by a short-term lessor for the registration of, and the issuance of certificates of title for, the passenger cars leased by him; and

(b) The basic and supplemental privilege taxes paid by the short-term lessor with regard to those passenger cars.

Sec. 2. This act becomes effective on July 1, 1999.

~