

ASSEMBLY BILL NO. 207—ASSEMBLYMEN BUCKLEY, ARBERRY, DINI, ANDERSON, GIBBONS, ANGLE, BACHE, BEERS, BERMAN, BROWER, BROWN, CARPENTER, CEGAVSKE, CHOWNING, CLABORN, COLLINS, DE BRAGA, FREEMAN, GIUNCHIGLIANI, GOLDWATER, HETTRICK, HUMKE, KOIVISTO, LEE, LESLIE, MANENDO, MARVEL, MCCLAIN, MORTENSON, NEIGHBORS, NOLAN, OCEGUERA, PARKS, PARNELL, PERKINS, PRICE, SMITH, TIFFANY, VON TOBEL AND WILLIAMS

FEBRUARY 20, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Imposes certain restrictions and requirements upon transfer, registration, titling and operation of, and requires certain notices and disclosures regarding, motor vehicles that have sustained certain damages. (BDR 43-441)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: Yes.

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

AN ACT relating to motor vehicles; imposing certain restrictions and requirements upon the transfer, registration and titling of vehicles that have sustained certain damages; requiring certain notices and disclosures regarding such vehicles; prohibiting the operation of certain damaged vehicles in this state; imposing civil liability and providing penalties for certain violations relating thereto; 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  
2     the provisions set forth as sections 2 to 26, inclusive, of this act.  
3     **Sec. 2.** *As used in sections 2 to 26, inclusive, of this act, unless the*  
4     *context otherwise requires, the words and terms defined in sections 3 to*  
5     *14, inclusive, of this act have the meanings ascribed to them in those*  
6     *sections.*  
7     **Sec. 3.** *“Actual cost” means the price paid at retail for repairs or the*  
8     *fair retail market value of the repairs needed to return a motor vehicle to*  
9     *an undamaged condition, whichever is greater.*



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1     **Sec. 4.** *“Cosmetic damage” means damage to paint, glass, trim, tires*  
2 *or any other component of a motor vehicle that is purely cosmetic in*  
3 *nature.*

4     **Sec. 5.** *“Cost of repair” means the estimated or actual cost of repair,*  
5 *whichever is greater.*

6     **Sec. 6.** *“Flood damage” means damage to a motor vehicle caused by*  
7 *the submersion of the vehicle in water to such an extent that the water*  
8 *reaches over the engine or door sill or enters the trunk or passenger*  
9 *compartment of the vehicle.*

10    **Sec. 7.** *“Flood vehicle” means a motor vehicle that at any time has:*

- 11       1. *Sustained flood damage; or*  
12       2. *Had “flood” or a similar word or designation placed on its title.*

13    **Sec. 8.** *“Major damage” means damage of any kind, sustained in a*  
14 *single incident, for which the aggregate cost of repair is \$3,000 or more,*  
15 *unless that cost is attributable solely to cosmetic damage.*

16    **Sec. 9.** *“Motor vehicle” means a motor vehicle other than a vehicle*  
17 *described in NRS 482.210.*

18    **Sec. 10.** *“Nonrepairable vehicle” means a motor vehicle that at any*  
19 *time has:*

- 20       1. *Sustained major damage, in a single incident, for which the cost*  
21 *of repair exceeds 90 percent of the fair retail market value of the vehicle*  
22 *immediately before the incident;*

- 23       2. *Been designated as a nonrepairable vehicle by its owner; or*

- 24       3. *Had “nonrepairable” or a similar word or designation on its title.*

25    **Sec. 11.** *“Renovated vehicle” means a salvage vehicle or flood*  
26 *vehicle for which a certificate of inspection that meets the requirements*  
27 *of section 21 of this act has been submitted to the department.*

28    **Sec. 12.** *“Salvage vehicle” means a motor vehicle that at any time*  
29 *has:*

- 30       1. *Sustained major damage, in a single incident, for which the cost*  
31 *of repair exceeds 65 percent of the fair retail market value of the vehicle*  
32 *immediately before the incident;*

- 33       2. *Been transferred to an insurance company in connection with the*  
34 *resolution of a claim for damages;*

- 35       3. *Been designated as a salvage vehicle by its owner; or*

- 36       4. *Had “salvage” or a similar word or designation on its title.*

37    **Sec. 13.** *“Title” means:*

- 38       1. *A certificate of title, a certificate of ownership or any other*  
39 *document issued by any state or country indicating the ownership of a*  
40 *motor vehicle or a bill of sale of salvage issued for a motor vehicle*  
41 *pursuant to chapter 487 of NRS; or*

- 42       2. *If no such document has been issued, the certificate or statement*  
43 *of origin issued by the manufacturer of a motor vehicle.*

44    **Sec. 14.** *“Transfer” means to change ownership by sale, gift or any*  
45 *other means.*

46    **Sec. 15.** 1. *A person who transfers a motor vehicle shall:*

- 47       (a) *Before the execution of any documents of transfer, provide to the*  
48 *transferee, on a form provided by the department, a written disclosure,*  
49 *signed and dated by the transferor and transferee, that:*



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1       (1) States whether, to the best knowledge of the transferor, the  
2 vehicle at any time in its history has been a salvage vehicle, flood vehicle  
3 or nonrepairable vehicle or has sustained major damage; and

4       (2) Includes, if the vehicle has ever sustained flood damage or  
5 major damage, a brief description of all the facts known by the transferor  
6 regarding the nature and amount of each occurrence of that damage;  
7 and

8       (b) Unless the title is in the possession of another person who holds a  
9 security interest in the vehicle, attach the original version of the  
10 completed disclosure form to the title. Upon the attachment of the form to  
11 the title, the form becomes a part of that title.

12       2. A dealer or distributor shall retain a copy of each disclosure the  
13 dealer or distributor issues or receives pursuant to this section for not  
14 less than 5 years after the date of issuance or receipt.

15       **Sec. 16. 1.** A long-term lessor who leases a motor vehicle to a long-  
16 term lessee shall:

17       (a) Before the execution of any lease documents, provide to the lessee,  
18 on a form provided by the department, a written disclosure, signed and  
19 dated by the lessor and lessee, that:

20       (1) States whether, to the best knowledge of the lessor, the vehicle at  
21 any time in its history has been a salvage vehicle, flood vehicle or  
22 nonrepairable vehicle or has sustained major damage; and

23       (2) Includes, if the vehicle has ever sustained flood damage or  
24 major damage, a brief description of all the facts known by the lessor  
25 regarding the nature and amount of each occurrence of that damage;

26       (b) Provide the lessee with written notice of the provisions of  
27 subsection 2 and the penalties that may be imposed for noncompliance  
28 with those provisions; and

29       (c) Retain a copy of each disclosure the lessor receives pursuant to  
30 subsection 2 for not less than 5 years after the date the lessor transfers  
31 each applicable vehicle.

32       2. A long-term lessee of a motor vehicle shall, before the long-term  
33 lessor transfers the vehicle, provide to the lessor, on a form provided by  
34 the department, a written disclosure, signed and dated by the lessee and  
35 lessor, that:

36       (a) States whether, to the best knowledge of the lessee, the vehicle at  
37 any time in its history has been a salvage vehicle, flood vehicle or  
38 nonrepairable vehicle or has sustained major damage; and

39       (b) Includes, if the vehicle has ever sustained flood damage or major  
40 damage, a brief description of all the facts known by the lessee regarding  
41 the nature and amount of each occurrence of that damage.

42       3. If a long-term lessor transfers a leased motor vehicle without  
43 obtaining possession of the vehicle and the lessor has no reason to  
44 believe that the disclosure received from the long-term lessee pursuant to  
45 subsection 2 does not reflect the complete history of the vehicle, the  
46 lessor, in making the disclosure required by section 15 of this act, may  
47 indicate on the disclosure form the facts disclosed by the lessee pursuant  
48 to subsection 2.



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- 1     **Sec. 17.** *A person who acquires ownership or possession of a motor*  
2 *vehicle for the purpose of resale shall not:*  
3     1. *Accept any disclosure for the vehicle provided to carry out section*  
4 *15 of this act unless the disclosure form has been completed; and*  
5     2. *Accept any title to the vehicle unless a completed disclosure form*  
6 *that meets the requirements of section 15 of this act is attached to the title*  
7 *for each transfer denoted on the title.*  
8     **Sec. 18.** *If a motor vehicle is sold at an auction, the person*  
9 *conducting the auction shall maintain, for not less than 5 years after the*  
10 *date of the sale, a record of:*  
11     1. *The vehicle identification number;*  
12     2. *The name of the most recent owner of the vehicle, other than the*  
13 *person conducting the auction, and the name of the buyer of the vehicle;*  
14 *and*  
15     3. *Whether the title or the disclosure provided for the vehicle*  
16 *pursuant to section 15 of this act by the most recent owner of the vehicle*  
17 *indicated that the vehicle was a salvage vehicle, flood vehicle or*  
18 *nonrepairable vehicle or had sustained major damage.*  
19     **Sec. 19.** *Except as otherwise provided in NRS 482.415, a motor*  
20 *vehicle that is transferred on or after October 1, 2001, must not be*  
21 *registered in this state unless:*  
22     1. *The transferor's title to the motor vehicle is submitted to the*  
23 *department; and*  
24     2. *A completed disclosure form that meets the requirements of*  
25 *section 15 of this act is attached to the title for each transfer denoted on*  
26 *the title.*  
27     **Sec. 20.** *Any title for a motor vehicle issued in this state on or after*  
28 *October 1, 2001, must conspicuously disclose:*  
29     1. *Whether the previous title for the vehicle or any documents or*  
30 *other information submitted to the department indicated that the vehicle*  
31 *at any time has:*  
32     (a) *Been a salvage vehicle, flood vehicle, nonrepairable vehicle or*  
33 *renovated vehicle;*  
34     (b) *Sustained major damage; or*  
35     (c) *Been described by any similar words or designations; and*  
36     2. *The state or country that issued the previous title for the vehicle.*  
37     **Sec. 21.** 1. *A person shall not transfer a salvage vehicle or flood*  
38 *vehicle to any person other than an insurance company, a dealer, an*  
39 *automobile wrecker, a rebuilder, an automobile auction or a salvage*  
40 *pool, unless:*  
41     (a) *A permanent decal or inscription, of such a type as the department*  
42 *prescribes by regulation, is affixed to the vehicle, in such a manner and*  
43 *in such a prominent location as the department prescribes by regulation,*  
44 *disclosing that the vehicle has been a salvage vehicle or flood vehicle;*  
45 *and*  
46     (b) *The transferor provides to the transferee:*  
47         (1) *A title for the vehicle, issued after the vehicle became a salvage*  
48 *vehicle or flood vehicle, indicating that the vehicle is a renovated vehicle;*  
49 *or*



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- 1       (2) Before the execution of any documents of transfer, a copy of a  
2 certificate of inspection for the vehicle, prepared after the vehicle became  
3 a salvage vehicle or flood vehicle, that complies with the requirements of  
4 this section. If the original certificate of inspection has not previously  
5 been submitted to the department, the transferor shall attach the original  
6 certificate to the title. Upon the attachment of the certificate to the title,  
7 the certificate becomes a part of that title.
- 8       2. A certificate of inspection required pursuant to this section must:  
9       (a) Be on a form provided by the department;  
10       (b) Contain such information and attestations regarding the repair,  
11 inspection and safety of the vehicle as the department prescribes by  
12 regulation; and  
13       (c) Be prepared, dated and signed by a person who has such  
14 qualifications and equipment and performs such acts as the department  
15 prescribes by regulation.
- 16       **Sec. 22.** If a motor vehicle is first determined to be a nonrepairable  
17 vehicle on or after October 1, 2001:  
18       1. A person who knows that the vehicle has been determined to be a  
19 nonrepairable vehicle shall not:  
20       (a) Operate the vehicle upon any highway in this state; or  
21       (b) Register or renew the registration of the vehicle in this state; and  
22       2. The vehicle may be transferred only to an insurance company or  
23 an automobile wrecker, and only for the purpose of dismantling or  
24 crushing.
- 25       **Sec. 23.** If an insurance company settles a claim for damages  
26 regarding a motor vehicle that is a salvage vehicle, flood vehicle or  
27 nonrepairable vehicle or has sustained major damage, and the vehicle is  
28 not transferred to the insurance company in connection with the  
29 settlement, the insurance company shall, at or before the time of the  
30 settlement, provide the owner of the vehicle with written notice of the  
31 responsibility of the owner to comply with the provisions of section 15 of  
32 this act and a blank disclosure form which is sufficient for that purpose.  
33 If the vehicle is:  
34       1. A salvage vehicle or a flood vehicle, the notice required by this  
35 section must inform the owner of the provisions of section 21 of this act.  
36       2. A nonrepairable vehicle:  
37       (a) The notice required by this section must inform the owner of the  
38 provisions of section 22 of this act; and  
39       (b) The insurance company shall, in addition to providing the notice  
40 required by this section, notify the department and, if the vehicle is  
41 registered in another state, the state agency responsible for issuing titles  
42 in that state, that the vehicle is a nonrepairable vehicle.
- 43       **Sec. 24.** 1. The department shall adopt such regulations as it  
44 deems necessary to carry out the provisions of sections 2 to 26, inclusive,  
45 of this act.  
46       2. The disclosure forms provided by the department pursuant to  
47 sections 15 and 16 of this act must advise any transferor, long-term  
48 lessor or long-term lessee who lacks certainty about the occurrence or  
49 scope of damage to a motor vehicle to give a full description of all facts



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1 known to him bearing on any possible flood damage or major damage to  
2 the vehicle.

3 **Sec. 25.** 1. Except as otherwise provided in subsection 2, a person  
4 who, with intent to defraud, violates any provision of sections 2 to 26,  
5 inclusive, of this act is liable to any person harmed by that violation in an  
6 amount equal to the sum of:

7 (a) Three times the amount of actual damages sustained by the person  
8 harmed or \$5,000, whichever is greater; and

9 (b) If an action brought by the person harmed is successful in  
10 enforcing the liability imposed by paragraph (a), the costs of bringing the  
11 action together with reasonable attorney's fees, as determined by the  
12 court.

13 2. A person who owns, leases or operates a motor vehicle for  
14 personal, family or household use is not liable pursuant to subsection 1  
15 for any:

16 (a) Failure to provide a disclosure or certificate of inspection required  
17 pursuant to sections 2 to 26, inclusive, of this act for such a vehicle  
18 unless the person had actual knowledge of the requirement to provide the  
19 disclosure or certificate; or

20 (b) Other violation of sections 2 to 26, inclusive, of this act regarding  
21 such a vehicle unless the person had actual knowledge of the facts at  
22 issue in the violation.

23 3. The remedies provided pursuant to this section are independent of  
24 and supplemental to, and do not limit or preclude the application of, any  
25 other legal or equitable remedies.

26 **Sec. 26.** A person shall not conspire with any other person to violate  
27 a provision of sections 2 to 26, inclusive, of this act.

28 **Sec. 27.** NRS 482.240 is hereby amended to read as follows:

29 482.240 1. Upon ~~for~~ the registration of a vehicle, the department or a  
30 registered dealer shall issue a certificate of registration to the owner.

31 2. When an applicant for registration or transfer of registration is  
32 unable, for any reason, to submit to the department in support of the  
33 application ~~for registration, or transfer of registration,~~ such documentary  
34 evidence of legal ownership as, in the opinion of the department, is  
35 sufficient to establish the legal ownership of the vehicle concerned in the  
36 application, ~~for registration or transfer of registration,~~ the department  
37 may, *except as otherwise provided in NRS 482.230*, issue to the applicant  
38 only a certificate of registration.

39 3. The department may, upon proof of ownership satisfactory to it,  
40 issue a certificate of ownership before the registration of the vehicle  
41 concerned. The certificate of registration issued pursuant to this chapter is  
42 valid only during the registration period or calendar year for which it is  
43 issued, and a certificate of ownership is valid until canceled by the  
44 department upon the transfer of interest therein.

45 **Sec. 28.** NRS 482.245 is hereby amended to read as follows:

46 482.245 1. The certificate of registration must contain upon the face  
47 thereof the date issued, the registration number assigned to the vehicle, the  
48 legal name and address of the registered owner, the county where the  
49 vehicle is to be based unless it is deemed to have no base, a description of



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1 the registered vehicle and such other statement of facts as may be  
2 determined by the department.

3 2. The certificate of ownership must contain upon the face thereof the  
4 date issued, the name and address of the registered owner and the owner or  
5 lienholder, if any, a description of the vehicle, any entries required by NRS  
6 482.423 to 482.428, inclusive, *any disclosures required by section 20 of*  
7 *this act*, a reading of the vehicle's odometer as provided to the department  
8 by the person making the sale or transfer, the word "rebuilt" if it is a rebuilt  
9 vehicle, and such other statement of facts as may be determined by the  
10 department. The reverse side of the certificate of ownership must contain  
11 forms for notice to the department of a transfer of the title or interest of the  
12 owner or lienholder and application for registration by the transferee. If a  
13 new certificate of ownership is issued for a vehicle, it must contain the  
14 same information as the replaced certificate, except to the extent that the  
15 information has changed after the issuance of the replaced certificate.  
16 Except as otherwise required by federal law, the certificate of ownership of  
17 a vehicle which the department knows to have been stolen must not contain  
18 any statement or other indication that the mileage specified in the  
19 certificate or registered on the odometer is anything other than the actual  
20 mileage traveled by the vehicle, in the absence of proof that the odometer  
21 of the vehicle has been disconnected, reset or altered.

22 **Sec. 29.** NRS 482.415 is hereby amended to read as follows:

23 482.415 1. Whenever application is made to the department for *the*  
24 registration of a vehicle previously registered pursuant to this chapter and  
25 the applicant is unable to present *a completed disclosure form required*  
26 *pursuant to section 19 of this act or* the certificate of registration or  
27 ownership previously issued for the vehicle because the *disclosure form or*  
28 certificate of registration or ownership is lost, unlawfully detained by one  
29 in possession or otherwise not available, the department may receive the  
30 application, investigate the circumstances of the case and require the filing  
31 of affidavits or other information. When the department is satisfied ~~that~~ :

32 *(a) As to whether the vehicle is a salvage vehicle as defined in section*  
33 *12 of this act, a flood vehicle as defined in section 7 of this act or a*  
34 *nonrepairable vehicle as defined in section 10 of this act, or has*  
35 *sustained major damage as defined in section 8 of this act; and*

36 *(b) That* the applicant is entitled to new certificates of registration and  
37 ownership,  
38 it may register the applicant's vehicle and issue new certificates and a new  
39 license plate or plates to the person or persons entitled thereto.

40 2. Whenever application is made to the department for the registration  
41 of a motor vehicle of which the:

42 (a) Ownership has been transferred;

43 (b) Certificate of ownership is lost, unlawfully detained by one in  
44 possession or otherwise not available; and

45 (c) Model year is 9 years old or newer,

46 the transferor of the motor vehicle may, for the purpose of furnishing any  
47 information required by the department to carry out the provisions of NRS  
48 484.60665, designate the transferee of the motor vehicle as his attorney in  
49 fact on a form for a power of attorney provided by the department.



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1 3. The department shall provide the form described in subsection 2.  
2 The form must be:

3 (a) Produced in a manner that ensures that the form may not be easily  
4 counterfeited; and

5 (b) Substantially similar to the form set forth in Appendix E of Part 580  
6 of Title 49 of the Code of Federal Regulations.

7 4. The department may charge a fee not to exceed 50 cents for each  
8 form it provides.

9 **Sec. 30.** NRS 482.470 is hereby amended to read as follows:

10 482.470 1. If any vehicle is dismantled, junked or rendered  
11 inoperative and unfit for further use in accordance with the original  
12 purpose for which it was constructed, the owner shall deliver to the  
13 department ~~any~~ :

14 (a) *Any* certificate of registration and certificate of ownership issued by  
15 the department or any other jurisdiction, unless the certificate of ownership  
16 is required for the collection of any insurance or other indemnity for the  
17 loss of the vehicle, or for transfer in order to dispose of the vehicle ~~it~~ ; and

18 (b) *If the vehicle is a motor vehicle other than a vehicle described in*  
19 *NRS 482.210, written notification of whether the vehicle is a salvage*  
20 *vehicle as defined in section 12 of this act, a flood vehicle as defined in*  
21 *section 7 of this act or a nonrepairable vehicle as defined in section 10 of*  
22 *this act, or has sustained major damage as defined in section 8 of this*  
23 *act.*

24 2. Any other person taking possession of a vehicle described in  
25 subsection 1 shall immediately deliver to the department ~~any~~ :

26 (a) *Any* license plate or plates, certificate of registration or certificate of  
27 ownership issued by the department or any other jurisdiction, if he has  
28 acquired possession of any of these and unless the certificate of ownership  
29 is required for a further transfer in the ultimate disposition of the vehicle ~~it~~ ;  
30 and

31 (b) *If the vehicle is a motor vehicle other than a vehicle described in*  
32 *NRS 482.210, written notification of whether the vehicle is a salvage*  
33 *vehicle as defined in section 12 of this act, a flood vehicle as defined in*  
34 *section 7 of this act or a nonrepairable vehicle as defined in section 10 of*  
35 *this act, or has sustained major damage as defined in section 8 of this*  
36 *act.*

37 3. The department may issue a salvage title as provided in chapter 487  
38 of NRS. The department shall not charge a fee for the issuance of the  
39 salvage title.

40 4. The department shall destroy any plate or plates, certificate of  
41 registration or certificate of ownership that is returned in a manner  
42 described in subsections 1 and 2. The department shall not issue a  
43 certificate of registration or certificate of ownership for a vehicle with the  
44 same identification number as the dismantled, junked or inoperative  
45 vehicle if the vehicle was manufactured in the 5 years preceding the date  
46 on which it was dismantled, junked or otherwise rendered inoperative,  
47 unless the department authorizes the restoration of the vehicle pursuant to  
48 subsection 2 of NRS 482.553.



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1     **Sec. 31.** NRS 482.555 is hereby amended to read as follows:

2     482.555 In addition to any other penalty provided by this chapter:

3     1. It is a gross misdemeanor for any person knowingly to falsify:

4     (a) A dealer's or rebuilder's report of sale, as described in NRS 482.423  
5     and 482.424; ~~or~~

6     (b) *A disclosure or certificate of inspection required pursuant to*  
7     *sections 2 to 26, inclusive, of this act; or*

8     (c) An application or *any other* document to obtain any:

9         (1) License;

10        (2) Permit; or

11        (3) Certificate of ownership,

12     issued under the provisions of this chapter.

13     2. It is a misdemeanor for any person to violate any of the provisions  
14     of this chapter unless such violation is by this section or *any* other  
15     provision of this chapter or other law of this state declared to be a gross  
16     misdemeanor or a felony.

17     **Sec. 32.** NRS 487.100 is hereby amended to read as follows:

18     487.100 1. Except as otherwise provided in subsection 2, any  
19     automobile wrecker purchasing from any person other than a licensed  
20     operator of a salvage pool, any vehicle subject to registration pursuant to  
21     the laws of this state shall forward to the department the certificates of  
22     ownership and registration last issued therefor ~~+~~ , *together with a*  
23     *completed disclosure form, if required pursuant to section 15 of this act,*  
24     *for each transfer of title denoted on the certificate of ownership.*

25     2. The certificate of ownership last issued for a mobile home or  
26     commercial coach must be sent by the wrecker to the manufactured  
27     housing division ~~+~~ *of the department of business and industry.*

28     3. The state agency may issue to the licensee a salvage title containing  
29     a brief description of the vehicle, including, insofar as data may exist with  
30     respect to the vehicle, the make, type, serial number and motor number, or  
31     any other number of the vehicle. The state agency shall not charge a fee for  
32     the issuance of the salvage title.

33     **Sec. 33.** NRS 487.110 is hereby amended to read as follows:

34     487.110 1. Except as otherwise provided in subsection 2, whenever a  
35     vehicle subject to registration is sold as salvage:

36     (a) As a result of a total loss insurance settlement, the insurance  
37     company or its authorized agent shall forward the endorsed ownership  
38     certificate or other evidence of title to the state agency , *together with a*  
39     *completed disclosure form, if required pursuant to section 15 of this act,*  
40     *for that sale and any other transfer of title denoted on the certificate or*  
41     *other evidence of title,* within 30 days after receipt thereof; or

42     (b) Because the owner determines that the vehicle is a total loss vehicle,  
43     the owner shall forward the ownership certificate or other evidence of title  
44     to the state agency , *together with a completed disclosure form, if required*  
45     *pursuant to section 15 of this act, for that sale and any other transfer of*  
46     *title denoted on the certificate or other evidence of title,* within 120 days  
47     after the vehicle is damaged.

48     2. ~~++he~~ *Except as otherwise provided in sections 2 to 26, inclusive,*  
49     *of this act:*



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1 (a) An insurance company or its authorized agent may sell a vehicle for  
2 which a total loss settlement has been made with the properly endorsed  
3 ownership certificate or other evidence of title if the total loss settlement  
4 resulted from the theft of the vehicle and the vehicle, when recovered, was  
5 not damaged to the extent that it was required to be rebuilt.

6 (b) An owner who has determined that a vehicle is a total loss vehicle  
7 may sell the vehicle with the properly endorsed ownership certificate or  
8 other evidence of title to a salvage pool, automobile auction, rebuilder,  
9 automobile wrecker, or a new or used motor vehicle dealer.

10 3. Upon the sale of the salvage vehicle, the insurance company,  
11 salvage pool, automobile auction, leasing company or financial institution  
12 which sells the salvage vehicle shall issue a bill of sale of salvage to the  
13 purchaser on a form to be prescribed and supplied by the state agency. The  
14 state agency shall accept the bill of sale of salvage in lieu of the ownership  
15 certificate or other evidence of title when accompanied by an appropriate  
16 application ~~for~~ and any other required documents and fees.

17 4. ~~When~~ If the salvage vehicle is rebuilt and to be restored to  
18 operation, the vehicle may not be licensed for operation or the ownership  
19 thereof transferred until there is submitted to the state agency with the  
20 prescribed bill of sale of salvage an appropriate application, any other  
21 documents and fees required, and a certificate of inspection signed by an  
22 employee of the state agency attesting to its mechanical fitness and safety.

23 5. When a total loss insurance settlement between the insurance  
24 company and its insured results in the retention of the salvage vehicle by  
25 the insured, the insurance company or its authorized agent shall, within 30  
26 days after the date of settlement, notify the state agency of the retention by  
27 its insured upon a form to be supplied by the state agency.

28 **Sec. 34.** NRS 487.120 is hereby amended to read as follows:

29 487.120 1. If the applicant for a salvage title is unable to furnish the  
30 certificates of ownership and registration last issued for the vehicle, ~~for~~ a  
31 bill of sale of salvage ~~or~~ or a completed disclosure form, if required  
32 pursuant to section 15 of this act, for each transfer of title denoted on the  
33 certificate of ownership or bill of sale of salvage, the state agency may  
34 accept the application, examine the circumstances of the case and require  
35 the filing of suitable affidavits or other information or documents. If  
36 satisfied that the applicant is entitled to a salvage title, the state agency may  
37 issue the salvage title.

38 2. No duplicate certificate of ownership or registration may be issued  
39 when a salvage title is applied for, and no fees are required for the  
40 affidavits of any stolen, lost or damaged certificate, or duplicates thereof,  
41 unless the vehicle is subsequently registered.

42 **Sec. 35.** NRS 487.480 is hereby amended to read as follows:

43 487.480 1. Before an operator of a salvage pool sells any vehicle  
44 subject to registration pursuant to the laws of this state, he must have in his  
45 possession the certificate of ownership or a bill of sale of salvage for that  
46 vehicle. He shall, within 10 days after completion of the transaction,  
47 forward the certificate of ownership or bill of sale of salvage, together  
48 with a completed disclosure form, if required pursuant to section 15 of  
49 this act, for each transfer of title denoted on the certificate or bill, to the



1 department. The department shall not issue a certificate of registration or  
2 certificate of ownership for a vehicle with the same identification number  
3 if the vehicle was manufactured in the 5 years preceding the date on which  
4 the operator forwards the certificates to the department, unless the  
5 department authorizes the restoration of the vehicle pursuant to subsection  
6 2 of NRS 482.553.

7 2. Upon sale of the vehicle, the operator of the salvage pool shall  
8 provide a bill of sale of salvage to the licensed automobile wrecker, dealer  
9 of new or used motor vehicles or rebuilder on a form prescribed and  
10 supplied by the department. The department shall accept the bill of sale of  
11 salvage in lieu of the certificate of ownership or other evidence of title  
12 from the:

13 (a) Automobile wrecker, if the bill of sale of salvage is accompanied by  
14 an appropriate application for a salvage title ~~†~~ *and any other required*  
15 *documents;* or

16 (b) Dealer of new or used motor vehicles or rebuilder when he licenses  
17 the vehicle for operation or transfers ownership of it, if the bill of sale of  
18 salvage is accompanied by an appropriate application, all other required  
19 documents and fees, and a certificate of inspection signed by an employee  
20 of the department attesting to the mechanical fitness and safety of the  
21 vehicle.

22 3. The department may issue to:

23 (a) The licensed automobile wrecker;

24 (b) A licensed operator of a salvage pool;

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

27 (d) An automobile wrecker or dismantler who is licensed in another  
28 state or foreign country and is registered with a salvage pool,

29 a salvage title that contains a brief description of the vehicle, including,  
30 insofar as data may exist with respect to the vehicle, the make, type, serial  
31 number and motor number, or any other number of the vehicle. Except as  
32 otherwise provided in this subsection, the department shall charge and  
33 collect a fee of \$10 for the issuance of a salvage title pursuant to this  
34 subsection. The department shall not charge such a fee for the issuance of a  
35 salvage title to an automobile wrecker licensed in this state. Fees collected  
36 by the department pursuant to this subsection must be deposited with the  
37 state treasurer to the credit of the account for regulation of salvage pools,  
38 automobile wreckers, body shops and garages. Possession of a salvage title  
39 does not entitle a person to dismantle, scrap, process or wreck any vehicle  
40 in this state unless the person holds a license issued pursuant to NRS  
41 487.050.

42 **Sec. 36.** The amendatory provisions of this act do not apply to  
43 offenses committed before October 1, 2001.

44 **Sec. 37.** This act becomes effective upon passage and approval for the  
45 purpose of adopting regulations by the department of motor vehicles and  
46 public safety to carry out the provisions of this act and for all other  
47 purposes on October 1, 2001.

