

ASSEMBLY BILL NO. 246—ASSEMBLYMEN MCCLAIN, KOIVISTO, MANENDO, ANDERSON, ANGLE, ARBERRY, BACHE, BEERS, BERMAN, BROWER, BROWN, BUCKLEY, CARPENTER, CEGAVSKE, CHOWNING, CLABORN, COLLINS, DE BRAGA, DINI, FREEMAN, GIBBONS, GIUNCHIGLIANI, GOLDWATER, GUSTAVSON, HETTRICK, HUMKE, LEE, LESLIE, MARVEL, MORTENSON, NEIGHBORS, NOLAN, OCEGUERA, PARKS, PARNELL, PERKINS, PRICE, SMITH, TIFFANY AND WILLIAMS

FEBRUARY 27, 2001

JOINT SPONSORS: SENATORS CARLTON, AMODEI, CARE, O'DONNELL, SCHNEIDER, SHAFFER, TITUS AND WIENER

Referred to Committee on Transportation

SUMMARY—Revises provisions regarding registration of motor vehicles. (BDR 43-213)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; revising the provisions governing the registration of motor vehicles by new residents of this state; revising the provision that authorizes certain pro rata credits or refunds for registrations transferred or canceled under certain circumstances; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 482.385 is hereby amended to read as follows:
2 482.385 1. Except as otherwise provided in subsection 4 and NRS
3 482.390, a nonresident owner of a vehicle of a type subject to registration
4 pursuant to the provisions of this chapter, owning any vehicle which has
5 been registered for the current year in the state, country or other place of
6 which the owner is a resident and which at all times when operated in this
7 state has displayed upon it the registration license plate issued for the
8 vehicle in the place of residence of the owner, may operate or permit the
9 operation of the vehicle within this state without its registration in this state



- 1 pursuant to the provisions of this chapter and without the payment of any
2 registration fees to this state.
- 3 2. This section does not:
- 4 (a) Prohibit the use of manufacturers', distributors' or dealers' license
5 plates issued by any state or country by any nonresident in the operation of
6 any vehicle on the public highways of this state.
- 7 (b) Require registration of vehicles of a type subject to registration
8 pursuant to the provisions of this chapter operated by nonresident common
9 motor carriers of persons or property, contract motor carriers of persons or
10 property, or private motor carriers of property as stated in NRS 482.390.
- 11 (c) Require registration of a vehicle operated by a border state
12 employee.
- 13 3. When a person, formerly a nonresident, becomes a resident of this
14 state ~~as defined in this chapter and chapter 483 of NRS~~ he shall ~~as~~
15 ~~(a) Within~~, within 30 days after becoming a resident, ~~or~~
16 ~~(b) At the time he obtains his driver's license, whichever occurs earlier,~~
17 apply for the registration of ~~any vehicle which he owns and~~ *each vehicle*
18 *he owns* which is operated in this state. *The director shall adopt*
19 *regulations for the enforcement of this subsection, including, without*
20 *limitation, regulations to carry out the procedures set forth in subsection*
21 *2 of NRS 483.245.*
- 22 4. Any resident operating ~~a motor vehicle~~ upon a highway of this
23 state *a motor vehicle* which is owned by a nonresident and which is
24 furnished to the resident operator for his continuous use within this state,
25 shall cause that vehicle to be registered within 30 days after beginning its
26 operation within this state.
- 27 5. A person registering a vehicle pursuant to the provisions of
28 subsection 3, 4 or 6 of this section or pursuant to NRS 482.390 must be
29 assessed the registration fees and governmental services tax, as required by
30 the provisions of this chapter and chapter 371 of NRS. He must not be
31 allowed credit on those taxes and fees for the unused months of his
32 previous registration.
- 33 6. If a vehicle is used in this state for a gainful purpose, the owner
34 shall immediately apply to the department for registration, except as
35 otherwise provided in NRS 482.390, 482.395 and 706.801 to 706.861,
36 inclusive.
- 37 7. An owner registering a vehicle pursuant to the provisions of this
38 section shall surrender the existing nonresident license plates and
39 registration certificates to the department for cancellation.
- 40 8. A vehicle may be cited for a violation of this section regardless of
41 whether it is in operation or is parked on a highway, in a public parking lot
42 or on private property which is open to the public if, after communicating
43 with the owner or operator of the vehicle, the peace officer issuing the
44 citation determines that:
- 45 (a) The owner of the vehicle is a resident of this state; or
46 (b) The vehicle is used in this state for a gainful purpose.



* A B 2 4 6 R 3 *

1 **Sec. 2.** NRS 482.399 is hereby amended to read as follows:

2 482.399 1. Upon the transfer of the ownership of or interest in any
3 vehicle by any holder of a valid registration, or upon destruction of the
4 vehicle, the registration expires.

5 2. The holder of the original registration may transfer the registration
6 to another vehicle to be registered by him and use the same license plate or
7 plates thereon, if the license plate or plates are appropriate for the second
8 vehicle, upon filing an application for transfer of registration and upon
9 paying the transfer registration fee and the excess, if any, of the registration
10 fee and governmental services tax on the vehicle to which the registration
11 is transferred over the total registration fee and governmental services tax
12 paid on all vehicles from which he is transferring his ownership or interest.
13 Application for transfer of registration must be made in person, if
14 practicable, to any office or agent of the department or to a registered
15 dealer, and the license plate or plates may not be used upon a second
16 vehicle until registration of that vehicle is complete. In computing the
17 governmental services tax, the department, its agent or the registered dealer
18 shall credit the portion of the tax paid on the first vehicle attributable to the
19 remainder of the current registration period or calendar year on a pro rata
20 monthly basis against the tax due on the second vehicle or on any other
21 vehicle of which the person is the registered owner. If any person transfers
22 his ownership or interest in two or more vehicles, the department or the
23 registered dealer shall credit the portion of the tax paid on all of the
24 vehicles attributable to the remainder of the current registration period or
25 calendar year on a pro rata monthly basis against the tax due on the vehicle
26 to which the registration is transferred or on any other vehicle of which the
27 person is the registered owner. The certificates of registration and unused
28 license plates of the vehicles from which a person transfers his ownership
29 or interest must be submitted before credit is given against the tax due on
30 the vehicle to which the registration is transferred or on any other vehicle
31 of which the person is the registered owner.

32 3. In computing the registration fee, the department or its agent or the
33 registered dealer shall credit the portion of the registration fee paid on each
34 vehicle attributable to the remainder of the current calendar year or
35 registration period on a pro rata basis against the registration fee due on the
36 vehicle to which registration is transferred. If the amount owed on the
37 registration fee or governmental services tax on that vehicle is *at least \$35*
38 less than the credit on the total registration fee or governmental services tax
39 paid on all vehicles from which a person transfers his ownership or
40 interest, the department shall issue to the person a refund in an amount
41 equal to the difference between the amount owed on the registration fee or
42 governmental services tax on that vehicle and the credit on the total
43 registration fee or governmental services tax paid on all vehicles from
44 which a person transfers his ownership or interest.

45 4. If the license plate or plates are not appropriate for the second
46 vehicle, the plate or plates must be surrendered to the department or
47 registered dealer and an appropriate plate or plates must be issued by the
48 department. The department shall not reissue the surrendered plate or
49 plates until the next succeeding licensing period.



1 5. If application for transfer of registration is not made within 60 days
2 after the destruction or transfer of ownership of or interest in any vehicle,
3 the license plate or plates must be surrendered to the department on or
4 before the 60th day for cancellation of the registration.

5 6. ~~HH~~ *Except as otherwise provided in this subsection, if* a person
6 cancels his registration , *provides proof to the department that he sold the*
7 *vehicle to which the registration pertains* and surrenders to the department
8 his license plates for ~~ta~~ *the* vehicle, the department shall issue to the
9 person a refund of the portion of the registration fee and governmental
10 services tax paid on the vehicle attributable to the remainder of the current
11 calendar year or registration period on a pro rata basis. *If the amount of*
12 *the refund is less than \$35, the department shall not issue the refund.*

13 **Sec. 3.** NRS 483.245 is hereby amended to read as follows:
14 483.245 1. When a person , *formerly a nonresident*, becomes a
15 resident of ~~Nevada~~ *this state* as defined in this chapter and chapter 482 of
16 NRS he ~~must~~ *shall*, within 30 days, *after becoming a resident*, obtain a
17 Nevada driver's license as a prerequisite to driving any motor vehicle in
18 the State of Nevada.

19 2. *With respect to a person described in subsection 1:*
20 (a) *If the person has not yet complied with the provisions of*
21 *subsection 3 of NRS 482.385 at the time the department issues a Nevada*
22 *driver's license to him, the department shall inform the person:*
23 (1) *Of the requirements of subsection 3 of NRS 482.385; and*
24 (2) *That he may at that time also apply for the registration of each*
25 *vehicle he owns which is operated in this state; and*
26 (b) *If the person has not yet complied with the provisions of*
27 *subsection 3 of NRS 482.385 on the date that is 30 days after the date on*
28 *which the department issued a Nevada driver's license to him, the*
29 *department shall:*
30 (1) *Send written notice to the person informing him that he is in*
31 *violation of the provisions of subsection 3 of NRS 482.385; and*
32 (2) *Notify the appropriate law enforcement agency that the person*
33 *is in violation of the provisions of subsection 3 of NRS 482.385.*

34 3. Where a person who applies for a license has a valid driver's license
35 from a state which has requirements for issuance of drivers' licenses
36 comparable to those of the State of Nevada, the department may issue a
37 Nevada license under the same terms and conditions applicable to a
38 renewal of a license in this state.

39 ~~3-1~~ 4. In carrying out the provisions of this chapter, the director is
40 authorized to enter into reciprocal agreements with appropriate officials of
41 other states concerning the licensing of drivers of motor vehicles.

42 **Sec. 4.** 1. This section and section 2 of this act become effective
43 upon passage and approval.

44 2. Sections 1 and 3 of this act become effective on January 1, 2002.

