

ASSEMBLY BILL NO. 460—ASSEMBLYMAN PARKS

MARCH 19, 2001

Referred to Committee on Transportation

SUMMARY—Revises provisions governing remittance of fees collected by short-term lessors of passenger cars to department of taxation. (BDR 43-589)

FISCAL NOTE: Effect on Local Government: No.
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; revising provisions governing the remittance of fees by short-term lessors of passenger cars to the department of taxation; 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 482.313 is hereby amended to read as follows:
- 2 482.313 1. Upon the lease of a passenger car by a short-term lessor
- 3 in this state, the short-term lessor shall charge and collect from the short-
- 4 term lessee a fee of 6 percent of the total amount for which the passenger
- 5 car was leased, excluding any taxes or other fees imposed by a
- 6 governmental entity. The amount of the fee must be indicated in the lease
- 7 agreement.
- 8 2. *The fees due from a short-term lessor to the department of*
- 9 *taxation pursuant to this subsection are due on the last day of each*
- 10 *calendar quarter.* On or before ~~January 31 of each year,~~ *the last day of*
- 11 *the month following each calendar quarter,* the short-term lessor shall:
- 12 (a) File with the department of taxation and the department of motor
- 13 vehicles and public safety, on a form prescribed by the department of
- 14 taxation, a report indicating the total amount of:
- 15 (1) Fees collected by the short-term lessor during the immediately
- 16 preceding ~~year~~ *calendar quarter* pursuant to this section; and
- 17 (2) Vehicle licensing fees and taxes paid by the short-term lessor
- 18 during the immediately preceding ~~year~~ *calendar quarter* pursuant to this
- 19 chapter.
- 20 (b) ~~Remit~~ *Except for the amount of money withheld pursuant to*
- 21 *subsection 3, remit* to the department of taxation ~~+~~



1 ~~— (1) One third of~~ the fees collected by the short-term lessor during the
2 immediately preceding ~~year~~ *calendar quarter* pursuant to this section . ~~;~~
3 ~~and~~
4 ~~— (2) Of the remainder of those fees, any amount in excess of~~
5 *3. A short-term lessor may deduct and withhold from the total fees*
6 *otherwise due from him an amount equal to* the total amount of vehicle
7 licensing fees and taxes paid by the short-term lessor during the
8 immediately preceding ~~year~~ *calendar quarter* pursuant to this chapter ~~;~~
9 ~~— 3.1 , except that the total amount deducted and withheld by a single~~
10 *short-term lessor each calendar year must not exceed \$100,000. For the*
11 *purposes of this subsection, a short-term lessor and all of its subsidiaries*
12 *and affiliates that share any common ownership shall be deemed to*
13 *constitute a single short-term lessor.*
14 4. The department of taxation shall deposit all money received from
15 short-term lessors pursuant to the provisions of this section with the state
16 treasurer for credit to the state general fund.
17 ~~4.1~~ 5. To ensure compliance with this section, the department of
18 taxation may audit the records of a short-term lessor.
19 ~~5.1~~ 6. The provisions of this section do not limit or affect the payment
20 of any taxes or fees imposed pursuant to the provisions of this chapter.
21 ~~6.1~~ 7. The department of motor vehicles and public safety shall, upon
22 request, provide to the department of taxation any information in its
23 records relating to a short-term lessor that the department of taxation
24 considers necessary to collect the fee required by this section.
25 ~~7.1~~ 8. As used in this section, “vehicle licensing fees and taxes”
26 means:
27 (a) The fees paid by a short-term lessor for the registration of, and the
28 issuance of certificates of title for, the passenger cars leased by him; and
29 (b) The basic and supplemental governmental services taxes paid by the
30 short-term lessor with regard to those passenger cars.
31 **Sec. 2.** Notwithstanding the amendatory provisions of section 1 of this
32 act to the contrary, the reports required and fees due from a short-term
33 lessor for the calendar year 2001 are governed by the provisions of NRS
34 482.313, as that section existed on December 31, 2001.
35 **Sec. 3.** This act becomes effective on January 1, 2002.

