

ASSEMBLY BILL NO. 640—COMMITTEE ON TRANSPORTATION

MARCH 26, 2001

Referred to Committee on Transportation

SUMMARY—Authorizes director of department of motor vehicles and public safety to contract with agent to perform certain duties of department.
(BDR 43-1017)

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; authorizes the director of the department of motor vehicles and public safety to contract with an agent to create and operate a system for verifying that the owners of motor vehicles maintain certain insurance; authorizing the director of the department of motor vehicles and public safety to adopt regulations for certain purposes; 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 482.480 is hereby amended to read as follows:
2 482.480 There must be paid to the department for the registration or
3 the transfer or reinstatement of the registration of motor vehicles, trailers
4 and semitrailers, fees according to the following schedule:
5 1. Except as otherwise provided in this section, for each stock
6 passenger car and each reconstructed or specially constructed passenger car
7 registered to a person, regardless of weight or number of passenger
8 capacity, a fee for registration of \$33.
9 2. Except as otherwise provided in subsection 3:
10 (a) For each of the fifth and sixth such cars registered to a person, a fee
11 for registration of \$16.50.
12 (b) For each of the seventh and eighth such cars registered to a person, a
13 fee for registration of \$12.
14 (c) For each of the ninth or more such cars registered to a person, a fee
15 for registration of \$8.
16 3. The fees specified in subsection 2 do not apply:
17 (a) Unless the person registering the cars presents to the department at
18 the time of registration the registrations of all of the cars registered to him.
19 (b) To cars that are part of a fleet.



- 1 4. For every motorcycle, a fee for registration of \$33 and for each
2 motorcycle other than a trimobile, an additional fee of \$6 for motorcycle
3 safety. The additional fee must be deposited in the state highway fund for
4 credit to the account for the program for the education of motorcycle
5 riders.
- 6 5. For each transfer of registration, a fee of \$6 in addition to any other
7 fees.
- 8 6. To reinstate the registration of a motor vehicle suspended pursuant
9 to NRS 485.317:
- 10 (a) A fee of \$250 for a registered owner who failed to have insurance on
11 the date specified in the form for verification that was mailed by the
12 department *or an agent of the department* pursuant to subsection 2 of NRS
13 485.317; or
- 14 (b) A fee of \$50 for a registered owner of a dormant vehicle who
15 canceled the insurance coverage for that vehicle or allowed the insurance
16 coverage for that vehicle to expire without first canceling the registration
17 for the vehicle in accordance with subsection 3 of NRS 485.320,
18 both of which must be deposited in the account for verification of
19 insurance which is hereby created in the state highway fund. Money in the
20 account must be used to carry out the provisions of NRS 485.313 to
21 485.318, inclusive.
- 22 7. For every travel trailer, a fee for registration of \$27.
- 23 8. For every permit for the operation of a golf cart, an annual fee
24 of \$10.
- 25 9. For every low-speed vehicle, as that term is defined in NRS
26 484.527, a fee for registration of \$33.
- 27 10. To reinstate the registration of a motor vehicle that is suspended
28 pursuant to NRS 482.451, a fee of \$33.
- 29 **Sec. 2.** Chapter 485 of NRS is hereby amended by adding thereto the
30 provisions set forth as sections 3 and 4 of this act.
- 31 **Sec. 3.** *As used in section 485.313 to 485.318, inclusive, the term*
32 *"agent of the department" means a person or public agency with whom*
33 *the director enters a contract pursuant to section 4 of this act.*
- 34 **Sec. 4.** *1. The director may contract with a person pursuant to*
35 *chapter 333 of NRS or a public agency pursuant to chapter 277 of NRS*
36 *to assist in carrying out the duties of the department pursuant to NRS*
37 *485.313 to 485.318, inclusive.*
- 38 *2. The contract with each agent selected by the department pursuant*
39 *to subsection 1 must provide for compensation based upon the*
40 *reasonable value of the services of the agent but must not exceed \$1 per*
41 *motor vehicle.*
- 42 *3. The director may adopt such regulations as he deems appropriate*
43 *to carry out the provisions of NRS 485.313 to 485.318, inclusive.*
- 44 **Sec. 5.** NRS 485.313 is hereby amended to read as follows:
45 485.313 1. The department *or agent of the department* shall create a
46 system for verifying that the owners of motor vehicles maintain the
47 insurance required by NRS 485.185.
- 48 2. As used in this section, "motor vehicle" does not include:
49 (a) A golf cart, as that term is defined in NRS 482.044.



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1 (b) A motortruck, truck tractor, bus or other vehicle that is registered
2 pursuant to paragraph (e) of subsection 1 of NRS 482.482 or NRS 706.801
3 to 706.861, inclusive.

4 **Sec. 6.** NRS 485.314 is hereby amended to read as follows:

5 485.314 1. ~~On~~ *At least once each month, on* or before the 15th
6 calendar day of each month, *or at more frequent intervals as the*
7 *department may determine is necessary*, each insurer that has executed a
8 contract of insurance for a motor vehicle liability policy which may be
9 used to meet the requirements of NRS 485.185 shall provide the
10 department *or agent of the department, as appropriate*, with a record of
11 each such policy issued, amended or terminated in the previous month on
12 the date the record is provided. The record must include:

13 (a) The name or identification number of each insured named in the
14 policy of insurance;

15 (b) The make, year and vehicle identification number of each motor
16 vehicle included in the policy of insurance;

17 (c) The number, effective date and expiration date of the policy of
18 insurance; and

19 (d) Any other information required by the department ~~or~~ *or agent of the*
20 *department.*

21 2. The record provided pursuant to subsection 1 must be submitted in a
22 form approved by the department and may include, without limitation,
23 magnetic tape or any other electronic medium deemed acceptable by the
24 department.

25 3. The department shall notify the commissioner of insurance if an
26 insurer:

27 (a) Fails to comply with subsection 1 or 2; or

28 (b) In complying with subsection 1 or 2, provides to the department *or*
29 *agent of the department* information that is false, incomplete or
30 misleading.

31 **Sec. 7.** NRS 485.316 is hereby amended to read as follows:

32 485.316 1. Except as otherwise provided in subsections 2 and 3,
33 information which is maintained in the database created pursuant to NRS
34 485.313 is confidential.

35 2. The department may only disclose information which is maintained
36 in the database, upon request, to a state or local governmental agency for
37 the purpose of enforcing NRS 485.185, including investigating or litigating
38 a violation or alleged violation.

39 3. The department may only disclose information retrieved from the
40 database to:

41 (a) A person who requests information regarding his own status;

42 (b) The parent or legal guardian of the person about whom the
43 information is requested if the person is an unemancipated minor or legally
44 incapacitated;

45 (c) A person who has a power of attorney from the person about whom
46 the information is requested;

47 (d) A person who submits a notarized release from the person about
48 whom the information is requested which is dated no more than 90 days
49 before the date of the request; or



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1 (e) A person who has suffered a loss or injury in an accident involving a
2 motor vehicle who requests information for use in the accident report.

3 4. A person who knowingly violates the provisions of this section is
4 guilty of a category D felony and shall be punished as provided in NRS
5 193.130.

6 *5. The department shall not delegate the duties of the department
7 prescribed in this section to an agent of the department.*

8 **Sec. 8.** NRS 485.317 is hereby amended to read as follows:

9 485.317 1. The department *or agent of the department* shall, at least
10 monthly, compare the current registrations of motor vehicles to the
11 information in the database created pursuant to NRS 485.313 to verify that
12 each motor vehicle:

13 (a) Which is newly registered in this state; or

14 (b) For which a policy of liability insurance has been issued, amended
15 or terminated,

16 is covered by a policy of liability insurance as required by NRS 485.185. In
17 identifying a motor vehicle for verification pursuant to this subsection, the
18 department ~~shall, if the motor vehicle was manufactured during or after~~
19 ~~1981, use only~~ *or an agent of the department may use* the vehicle
20 identification number, *the name of the insured, the make, year or model*
21 *of the vehicle, the employee identification information required pursuant*
22 *to 26 C.F.R. Part 31, the number of the policy of insurance, or any*
23 *combination thereof*, in whole or in part.

24 2. The department *or agent of the department* shall send a form for
25 verification by first-class mail to each registered owner that it determines
26 has not maintained the insurance required by NRS 485.185. The owner
27 shall complete the form with all the information which is requested by the
28 department ~~or agent of the department~~, including whether he carries an
29 owner's or operator's policy of liability insurance or a certificate of self-
30 insurance, and return the completed form within 20 days after the date on
31 which the form was mailed by the department ~~or agent of the department~~. If the department *or agent of the department* does not receive
32 the completed form within 20 days after it mailed the form to the owner,
33 the department *or agent of the department* shall send to the owner a
34 second form for verification by certified mail. The owner shall complete
35 the form and return it to the department *or agent of the department* within
36 15 days after the date on which it was sent by the department ~~or agent of the department~~. This subsection does not prohibit an authorized agent of
37 the owner from providing to the department ~~or agent of the department~~
38 *or agent of the department*.

39 (a) The information requested by the department *or agent of the*
40 *department* pursuant to this subsection.

41 (b) Additional information to amend or correct information already
42 submitted to the department *or agent of the department* pursuant to this
43 subsection.

44 3. When the department *or agent of the department* receives a
45 completed form for verification it shall verify the information on the form.

46 4. The department shall suspend the registration and require the return
47 to the department of the license plates of any vehicle for which:
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1 (a) Neither of the forms for verification set forth in subsection 2 is
2 returned to the department *or agent of the department* by the registered
3 owner or his authorized agent within the period specified in that
4 subsection;

5 (b) Either of the forms for verification set forth in subsection 2 is
6 returned to the department *or agent of the department* by the registered
7 owner or his authorized agent and the department *and agent of the*
8 *department* is not able to verify the information on the form; or

9 (c) Either of the forms for verification set forth in subsection 2 is
10 returned by the registered owner or his authorized agent with an admission
11 of having no insurance or without indicating an insurer or the number of a
12 motor vehicle liability policy or a certificate of self-insurance.

13 5. If the department suspends a registration pursuant to subsection 4
14 because:

15 (a) Neither the owner nor his authorized agent returned a form for
16 verification within the specified period or the owner or his authorized agent
17 returned a form for verification that was not completed sufficiently, and the
18 owner or his authorized agent, thereafter:

19 (1) Proves to the satisfaction of the department *or agent of the*
20 *department, as appropriate*, that there was a justifiable cause for his failure
21 to do so;

22 (2) Submits a completed form regarding his insurance on the date
23 stated in the form mailed by the department *or agent of the department*
24 pursuant to subsection 2; and

25 (3) Presents evidence of current insurance; or

26 (b) The owner or his authorized agent submitted to the department *or*
27 *agent of the department* a form for verification containing information that
28 the department was unable to verify and, thereafter, the owner or his
29 authorized agent presents to the department ~~+~~ *or agent of the department:*

30 (1) A corrected form or otherwise verifiable evidence setting forth
31 that the owner possessed insurance on the date stated in the form; and

32 (2) Evidence of current insurance,
33 the department shall rescind its suspension of the registration if it is able to
34 verify the information on the form or the other evidence presented. The
35 department shall not charge a fee to reinstate a registration, the suspension
36 of which was rescinded pursuant to this subsection. For the purposes of this
37 subsection, “justifiable cause” may include, but is not limited to, the fact
38 that the owner did not receive the form mailed by the department *or agent*
39 *of the department* pursuant to subsection 2.

40 6. Except as otherwise provided in subsection 7, if a registered owner
41 whose registration is suspended pursuant to subsection 4, failed to have
42 insurance on the date specified in the form for verification, the department
43 shall reinstate the registration of the vehicle and reissue the license plates
44 only upon filing by the registered owner of evidence of current insurance
45 and payment of the fee for reinstatement of registration prescribed in
46 paragraph (a) of subsection 6 of NRS 482.480.

47 7. If a registered owner proves to the satisfaction of the department
48 that his vehicle was a dormant vehicle during the period in which the
49 information provided pursuant to NRS 485.314 indicated that there was no



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1 insurance for the vehicle, the department shall reinstate his registration and,
2 if applicable, reissue his license plates. If such an owner of a dormant
3 vehicle failed to cancel the registration for the vehicle in accordance with
4 subsection 3 of NRS 485.320, the department shall not reinstate his
5 registration or reissue his license plates unless the owner pays the fee set
6 forth in paragraph (b) of subsection 6 of NRS 482.480.

7 8. For the purposes of verification of insurance by the department *or*
8 *an agent of the department* pursuant to this section, a registered owner
9 shall not be deemed to have failed to maintain liability insurance for a
10 motor vehicle unless the vehicle is without coverage for a period of more
11 than 7 days.

12 **Sec. 9.** NRS 485.318 is hereby amended to read as follows:

13 485.318 An insurer, its agents, the department and its employees *and*
14 *agents of the department* who act pursuant to NRS 485.313 to 485.318,
15 inclusive, *and sections 3 and 4 of this act*, in good faith and without gross
16 negligence are immune from civil liability for those acts.

