

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT S.B. 522

SENATE BILL NO. 522—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES AND
PUBLIC SAFETY—DIRECTORS OFFICE)

MARCH 26, 2001

Referred to Committee on Transportation

SUMMARY—Clarifies certain provisions concerning administration of money in state highway fund. (BDR 43-566)

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 the state financial administration; clarifying certain provisions governing use of money in the state highway fund; 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 481.083 is hereby amended to read as follows:
2 481.083 1. Except for the operation of the investigation division, the
3 division of emergency management, the state fire marshal division, the
4 division of parole and probation, and the capitol police division of the
5 department, money for the administration of the provisions of this chapter
6 must be provided by direct legislative appropriation ***or authorization*** from
7 the state highway fund upon the presentation of budgets in the manner
8 required by law.
9 2. All money provided for the support of the department and its
10 various divisions must be paid out on claims approved by the director in
11 the same manner as other claims against the state are paid.
12 **Sec. 2.** NRS 482.180 is hereby amended to read as follows:
13 482.180 1. The motor vehicle fund is hereby created as an agency
14 fund. Except as otherwise provided in subsection 4 or by a specific statute,
15 all money received or collected by the department must be deposited in the
16 state treasury for credit to the motor vehicle fund.
17 2. The interest and income on the money in the motor vehicle fund,
18 after deducting any applicable charges, must be credited to the state
19 highway fund.



1 3. Any check accepted by the department in payment of vehicle
2 privilege tax or any other fee required to be collected pursuant to this
3 chapter must, if it is dishonored upon presentation for payment, be charged
4 back against the motor vehicle fund or the county to which the payment
5 was credited, in the proper proportion.

6 4. All money received or collected by the department for the basic
7 vehicle privilege tax must be deposited in the local government tax
8 distribution account, created by NRS 360.660, for credit to the ~~appropriate~~
9 ~~county pursuant to subsection 6-1~~ *county for which it was collected.*

10 5. Money for the administration of the provisions of this chapter must
11 be provided by direct legislative appropriation *or authorization* from the
12 state highway fund, upon the presentation of budgets in the manner
13 required by law. Out of the appropriation ~~or~~ *or authorization*, the
14 department shall pay every item of expense.

15 6. The privilege tax collected on vehicles subject to the provisions of
16 chapter 706 of NRS and engaged in interstate or intercounty operation
17 must be distributed among the counties in the following percentages:

18

19 Carson City.....	1.07 percent	Lincoln.....	3.12 percent
20 Churchill.....	5.21 percent	Lyon.....	2.90 percent
21 Clark.....	22.54 percent	Mineral.....	2.40 percent
22 Douglas.....	2.52 percent	Nye.....	4.09 percent
23 Elko.....	13.31 percent	Pershing.....	7.00 percent
24 Esmeralda.....	2.52 percent	Storey.....	.19 percent
25 Eureka.....	3.10 percent	Washoe.....	12.24 percent
26 Humboldt.....	8.25 percent	White Pine.....	5.66 percent
27 Lander.....	3.88 percent		

28

29 The distributions must be allocated among local governments within the
30 respective counties pursuant to the provisions of NRS 482.181.

31 7. The department shall withhold 6 percent from the amount of
32 privilege tax collected by the department as a commission. From the
33 amount of privilege tax collected by a county assessor, the state controller
34 shall credit 1 percent to the department as a commission and remit 5
35 percent to the county for credit to its general fund as commission for the
36 services of the county assessor.

37 8. When the requirements of this section and NRS 482.181 have been
38 met, and when directed by the department, the state controller shall transfer
39 monthly to the state highway fund any balance in the motor vehicle fund.

40 9. If a statute requires that any money in the motor vehicle fund be
41 transferred to another fund or account, the department shall direct the
42 controller to transfer the money in accordance with the statute.

43 **Sec. 3.** NRS 459.735 is hereby amended to read as follows:

44 459.735 1. The contingency account for hazardous materials is
45 hereby created in the state general fund.

46 2. The commission shall administer the contingency account for
47 hazardous materials, and the money in the account may be expended only
48 for:

49 (a) Carrying out the provisions of NRS 459.735 to 459.773, inclusive;



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1 (b) Carrying out the provisions of Public Law 99-499 and Title I of
2 Public Law 93-633;

3 (c) Maintaining and supporting the operations of the commission and
4 local emergency planning committees;

5 (d) Training and equipping state and local personnel to respond to
6 accidents and incidents involving hazardous materials; and

7 (e) The operation of training programs and a training center for
8 handling emergencies relating to hazardous materials and related fires
9 pursuant to NRS 477.045.

10 3. All money received by this state as a result of Public Law 99-499 or
11 Title I of Public Law 93-633 must be deposited with the state treasurer to
12 the credit of the contingency account for hazardous materials. In addition,
13 all money received by the commission from any source must be deposited
14 with the state treasurer to the credit of the contingency account for
15 hazardous materials. The state controller shall transfer from the
16 contingency account to the operating account of the state fire marshal such
17 money collected pursuant to chapter 477 of NRS as is authorized for
18 expenditure in the budget of the state fire marshal for use pursuant to
19 paragraph (e) of subsection 2.

20 4. Upon the presentation of budgets in the manner required by law,
21 money to support the operation of the commission pursuant to this chapter,
22 other than its provision of grants, must be provided by direct legislative
23 appropriation *or authorization* from the state highway fund to the
24 contingency account for hazardous materials.

25 5. The interest and income earned on the money in the contingency
26 account for hazardous materials, after deducting any applicable charges,
27 must be credited to the account.

28 6. All claims against the contingency account for hazardous materials
29 must be paid as other claims against the state are paid.

30 **Sec. 4.** Section 30 of Senate Bill No. 59 of this session is hereby
31 amended to read as follows:

32 Sec. 30. NRS 482.180 is hereby amended to read as follows:

33 482.180 1. The motor vehicle fund is hereby created as an
34 agency fund. Except as otherwise provided in subsection 4 or by a
35 specific statute, all money received or collected by the department
36 must be deposited in the state treasury for credit to the motor vehicle
37 fund.

38 2. The interest and income on the money in the motor vehicle
39 fund, after deducting any applicable charges, must be credited to the
40 state highway fund.

41 3. Any check accepted by the department in payment of ~~vehicle~~
42 ~~privilege~~ *the governmental services* tax or any other fee required to
43 be collected pursuant to this chapter must, if it is dishonored upon
44 presentation for payment, be charged back against the motor vehicle
45 fund or the county to which the payment was credited, in the proper
46 proportion.

47 4. All money received or collected by the department for the basic
48 ~~vehicle privilege~~ *governmental services* tax must be deposited in the



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1 local government tax distribution account, created by NRS 360.660,
2 for credit to the county for which it was collected.

3 5. Money for the administration of the provisions of this chapter
4 must be provided by direct legislative appropriation or authorization
5 from the state highway fund, upon the presentation of budgets in the
6 manner required by law. Out of the appropriation or authorization, the
7 department shall pay every item of expense.

8 6. The ~~privilege~~ *governmental services* tax collected on
9 vehicles subject to the provisions of chapter 706 of NRS and engaged
10 in interstate or intercounty operation must be distributed among the
11 counties in the following percentages:

12		
13	Carson City	1.07 percent
14	Churchill	5.21 percent
15	Clark	22.54 percent
16	Douglas	2.52 percent
17	Elko	13.31 percent
18	Esmeralda	2.52 percent
19	Eureka	3.10 percent
20	Humboldt	8.25 percent
21	Lander	3.88 percent
22	Lincoln	3.12 percent
	Lyon	2.90 percent
	Mineral	2.40 percent
	Nye	4.09 percent
	Pershing	7.00 percent
	Storey	.19 percent
	Washoe	12.24 percent
	White Pine	5.66 percent

23 The distributions must be allocated among local governments within
24 the respective counties pursuant to the provisions of NRS 482.181.

25 7. The department shall withhold 6 percent from the amount of
26 ~~privilege~~ *the governmental services* tax collected by the department
27 as a commission. From the amount of ~~privilege~~ *the governmental*
28 *services* tax collected by a county assessor, the state controller shall
29 credit 1 percent to the department as a commission and remit 5
30 percent to the county for credit to its general fund as commission for
31 the services of the county assessor.

32 8. When the requirements of this section and NRS 482.181 have
33 been met, and when directed by the department, the state controller
34 shall transfer monthly to the state highway fund any balance in the
35 motor vehicle fund.

36 9. If a statute requires that any money in the motor vehicle fund
37 be transferred to another fund or account, the department shall direct
38 the controller to transfer the money in accordance with the statute.

39 **Sec. 5.** This act becomes effective upon passage and approval.

