

Senate Bill No. 523--Committee on Transportation

CHAPTER.....

AN ACT relating to motor vehicles; increasing the period of validity of a permit issued to operate certain unregistered vehicles; revising provisions relating to the form provided by the department of motor vehicles and public safety to a dealer for the transfer of ownership of a motor vehicle; revising the provisions relating to temporary placards issued upon the sale or lease of motor vehicles; abolishing special permits issued upon the sale or lease of motor vehicles; authorizing the department to enter into an agreement with another state concerning the exchange of information relating to the issuance, renewal, suspension or revocation of drivers' licenses; requiring the investigation of the criminal history of an applicant for a license to operate a school for training drivers or for a license as an instructor for such a school; providing other matters properly relating thereto.

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

Section 1. NRS 481.063 is hereby amended to read as follows:

481.063 1. The director may charge and collect reasonable fees for official publications of the department and from persons making use of files and records of the department or its various divisions for a private purpose. All money so collected must be deposited in the state treasury for credit to the motor vehicle fund.

2. ~~The~~ *Except as otherwise provided in subsection 5, the* director may release personal information *, except a photograph,* from a file or record relating to the driver's license, identification card , or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the director.

3. Except as otherwise provided in subsection 2, the director shall not release to any person who is not a representative of the welfare division of the department of human resources or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415, 253.044 or 253.220, who is not authorized to transact insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable,

provide the requester with the requested information if the requester officially reports that the motor vehicle bearing that license plate was used in a violation of NRS 205.240, 205.345, 205.380 or 205.445.

4. Except as otherwise provided in subsections 2 and 5, the director shall not release any personal information from a file or record relating to a driver's license, identification card, or title or registration of a vehicle.

5. Except as otherwise provided in subsection 6, if a person or governmental entity ~~appears in person or by its representative,~~ provides a description of the information requested and its proposed use and signs an affidavit to that effect, the director may release any personal information from a file or record relating to a driver's license, identification card, or title or registration of a vehicle for use:

(a) By any governmental entity, including, but not limited to, any court or law enforcement agency, in carrying out its functions, or any person acting on behalf of a federal, state or local governmental agency in carrying out its functions. ~~In addition, the director may, by regulation, establish a procedure whereby a governmental entity may retrieve such information electronically or by written request in lieu of appearing personally and complying with the other requirements of this subsection.~~ *The personal information may include a photograph from a file or record relating to a driver's license, identification card, or title or registration of a vehicle.*

(b) In connection with any civil, criminal, administrative or arbitration proceeding before any federal or state court, regulatory body, board, commission or agency, including, but not limited to, use for service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal or state court.

(c) In connection with matters relating to:

- (1) The safety of drivers of motor vehicles;
- (2) Safety and thefts of motor vehicles;
- (3) Emissions from motor vehicles;
- (4) Alterations of products related to motor vehicles;
- (5) An advisory notice relating to a motor vehicle or the recall of a motor vehicle;
- (6) Monitoring the performance of motor vehicles;
- (7) Parts or accessories of motor vehicles;
- (8) Dealers of motor vehicles; or
- (9) Removal of nonowner records from the original records of motor vehicle manufacturers.

(d) By any insurer, self-insurer or organization that provides assistance or support to an insurer or self-insurer or its agents, employees or contractors, in connection with activities relating to the rating, underwriting or investigation of claims or the prevention of fraud.

(e) In providing notice to the owners of vehicles that have been towed, repossessed or impounded.

(f) By an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license who is employed by or has applied for employment with the employer.

(g) By a private investigator, private patrolman or security consultant who is licensed pursuant to chapter 648 of NRS, for any use permitted pursuant to this section.

(h) By a reporter or editorial employee who is employed by or affiliated with any newspaper, press association or commercially operated, federally licensed radio or television station for a journalistic purpose. The department may not make any inquiries regarding the use of or reason for the information requested other than whether the information will be used for a journalistic purpose.

(i) In connection with an investigation conducted pursuant to NRS 253.0415, 253.044 or 253.220.

(j) In activities relating to research and the production of statistical reports, if the personal information will not be published or otherwise redisclosed, or used to contact any person.

(k) In the bulk distribution of surveys, marketing material or solicitations, if the director has adopted policies and procedures to ensure that:

(1) The information will be used or sold only for use in the bulk distribution of surveys, marketing material or solicitations;

(2) Each person about whom the information is requested has clearly been provided with an opportunity to ~~prohibit~~ *authorize* such a use; and

(3) If the person about whom the information is requested ~~prohibits in a timely manner~~ *does not authorize* such a use, the bulk distribution will not be directed toward that person.

6. Except as otherwise provided in paragraph (j) of subsection 5, a person who requests and receives personal information may sell or disclose that information only for a use permitted pursuant to subsection 5. Such a person shall keep and maintain for 5 years a record of:

(a) Each person to whom the information is provided; and

(b) The purpose for which that person will use the information.

The record must be made available for examination by the department at all reasonable times upon request.

7. Except as otherwise provided in subsection 2, the director may deny any use of the files and records if he reasonably believes that the information taken may be used for an unwarranted invasion of a particular person's privacy.

8. Except as otherwise provided in NRS 485.316, the director shall not allow any person to make use of information retrieved from the database created pursuant to NRS 485.313 for a private purpose and shall not in any other way release any information retrieved from that database.

9. The director shall adopt such regulations as he deems necessary to carry out the purposes of this section. In addition, the director shall, by regulation, establish a procedure whereby a person who is requesting personal information ~~and has personally appeared before an employee of the department at least once~~ may establish an account with the department to facilitate his ability to request information electronically or by written request if he has submitted to the department proof of his employment or licensure, as applicable, and a signed and notarized affidavit acknowledging:

(a) That he has read and fully understands the current laws and regulations regarding the manner in which information from the department's files and records may be obtained and the limited uses which are permitted;

(b) That he understands that any sale or disclosure of information so obtained must be in accordance with the provisions of this section;

(c) That he understands that a record will be maintained by the department of any information he requests; and

(d) That he understands that a violation of the provisions of this section is a criminal offense.

10. It is unlawful for any person to:

(a) Make a false representation to obtain any information from the files or records of the department.

(b) Knowingly obtain or disclose any information from the files or records of the department for any use not permitted by the provisions of this chapter.

11. As used in this section, "personal information" means information that reveals the identity of a person, including, without limitation, his photograph, social security number, driver's license number, identification card number, name, address, telephone number or information regarding a medical condition or disability. The term does not include the zip code of a person when separate from his full address, information regarding vehicular accidents or driving violations in which he has been involved or other information otherwise affecting his status as a driver.

Sec. 2. NRS 482.31776 is hereby amended to read as follows:

482.31776 1. A consignee of a vehicle shall, upon entering into a consignment contract or other form of agreement to sell a vehicle owned by another person, open and maintain a separate trust account in a federally insured bank or savings and loan association that is located in this state, into which the consignee shall deposit all money received from a prospective buyer as a deposit, or as partial or full payment of the purchase price agreed upon, toward the purchase or transfer of interest in the vehicle. A consignee of a vehicle shall not:

(a) Commingle the money in the trust account with any other money that is not on deposit or otherwise maintained toward the purchase of the vehicle subject to the consignment contract or agreement; or

(b) Use any money in the trust account to pay his operational expenses for any purpose that is not related to the consignment contract or agreement.

2. Upon the sale or transfer of interest in the vehicle, the consignee shall forthwith:

(a) Satisfy or cause to be satisfied all outstanding security interests in the vehicle; and

(b) Satisfy the financial obligations due the consignor pursuant to the consignment contract.

3. Upon the receipt of money by delivery of cash, bank check or draft, or any other form of legal monetary exchange, or after any form of transfer of interest in a vehicle, the consignee shall notify the consignor that the money has been received or that a transfer of interest in the vehicle has occurred. Notification by the consignee to the consignor must be given in

person or, in the absence of the consignor, by registered or certified mail addressed to the last address or residence of the consignor known to the consignee. The notification must be made within 3 business days after the date on which the money is received or the transfer of interest in the vehicle is made.

4. The provisions of this section do not apply to an executor, an administrator, a sheriff or any other person who sells a vehicle pursuant to the powers or duties granted to or imposed on him by specific statute.

5. Notwithstanding any provision of NRS 482.423 to 482.4247, inclusive, to the contrary, a vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.423 to 482.4247, inclusive, by displaying a ~~special permit or~~ temporary placard to operate the vehicle unless ~~such~~ *the* operation of the vehicle is authorized by the express written consent of the consignor.

6. A vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.320 by displaying a special plate unless ~~such~~ *the* operation of the vehicle is authorized by the express written consent of the consignor.

7. A consignee shall maintain a written log for each vehicle for which he has entered into a consignment contract. The written log must include:

- (a) The name and address, or place of residence, of the consignor;
- (b) A description of the vehicle consigned, including the year, make, model and serial or identification number of the vehicle;
- (c) The date on which the consignment contract is entered into;
- (d) The period that the vehicle is to be consigned;
- (e) The minimum agreed upon sales price for the vehicle;
- (f) The approximate amount of money due any lienholder or other person known to have an interest in the vehicle;
- (g) If the vehicle is sold, the date on which the vehicle is sold;
- (h) The date that the money due the consignor and the lienholder was paid;
- (i) The name and address of the federally insured bank or savings and loan association in which the consignee opened the trust account required pursuant to subsection 1; and
- (j) The signature of the consignor acknowledging that the terms of the consignment contract were fulfilled or terminated, as appropriate.

8. A person who:

(a) Appropriates, diverts or otherwise converts to his own use money in a trust account opened pursuant to subsection 1 or otherwise subject to a consignment contract or agreement is guilty of embezzlement and shall be punished in accordance with NRS 205.300. The court shall, in addition to any other penalty, order the person to pay restitution.

(b) Violates any other provision of this section is guilty of a misdemeanor.

Sec. 3. NRS 482.396 is hereby amended to read as follows:

482.396 1. A person who is not a dealer, manufacturer or rebuilder may apply to the department for a permit to operate a vehicle which:

(a) Is not subject to the provisions of NRS 482.390, 482.395 and 706.801 to 706.861, inclusive; and

(b) Is not currently registered in this state, another state or a foreign country, or has been purchased by the applicant from a person who is not a dealer.

2. The department may issue the permit free of charge.

3. Each permit must:

(a) Bear the date of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight;

(b) Expire at 5 p.m. not more than ~~101~~ 60 days after its date of issuance;

(c) Be affixed to the vehicle in the manner prescribed by the department; and

(d) Be removed and destroyed upon its expiration or the issuance of a new permit or a certificate of registration ~~11~~ for the vehicle, whichever occurs first.

4. The department may authorize the issuance of more than one permit for the vehicle to be operated by the applicant.

Sec. 4. NRS 482.400 is hereby amended to read as follows:

482.400 1. Except as otherwise provided in this subsection and subsections 2, 5 and 6, upon a transfer of the title to, or the interest of an owner in, a vehicle registered or issued a certificate of ownership under the provisions of this chapter, the person or persons whose title or interest is to be transferred and the transferee shall write their signatures with pen and ink upon the certificate of ownership issued for the vehicle, together with the residence address of the transferee, in the appropriate spaces provided upon the reverse side of the certificate. The department may, by regulation, prescribe alternative methods by which a signature may be affixed upon a manufacturer's certificate of origin or a manufacturer's statement of origin issued for a vehicle. The alternative methods must ensure the authenticity of the signatures.

2. The department shall provide a form for use by a dealer for the transfer of ownership of a vehicle. ~~When the spaces provided upon the reverse side of the certificate of ownership issued for the vehicle have been filled.~~ The form must be produced in a manner which ensures that the form may not be easily counterfeited. Upon the attachment of the form to a certificate of ownership issued for a vehicle, the form becomes a part of that certificate of ownership. The department may charge a fee not to exceed ~~\$5 for each form it provides.~~ *the cost to provide the form.*

3. Except as otherwise provided in subsections 4, 5 and 6, the transferee shall immediately apply for registration as provided in NRS 482.215, and shall pay the privilege taxes due.

4. If the transferee is a dealer who intends to resell the vehicle, he ~~shall deliver immediately to the department or its agent the certificate of registration and the license plate or plates for~~ *is not required to register, pay a transfer or registration fee for, or pay a privilege tax on* the vehicle. When the vehicle is resold, the purchaser shall apply for registration as provided in NRS 482.215, and shall pay the privilege taxes due. ~~The dealer is not required to register, pay a transfer or registration fee for, or pay a privilege tax on the vehicle.~~

5. If the transferee consigns the vehicle to a wholesale vehicle auctioneer:

(a) The transferee shall, within 30 days after that consignment, provide the wholesale vehicle auctioneer with the certificate of ownership for the vehicle, executed as required by subsection 1, and any other documents necessary to obtain another certificate of ownership for the vehicle.

(b) The wholesale vehicle auctioneer shall be deemed a transferee of the vehicle for the purposes of subsection 4. The wholesale vehicle auctioneer is not required to comply with subsection 1 if he:

(1) Does not take an ownership interest in the vehicle;

(2) Auctions the vehicle to a vehicle dealer or automobile wrecker who is licensed as such in this or any other state; and

(3) Stamps his name, his identification number as a vehicle dealer and the date of the auction on the certificate of ownership and the bill of sale and any other documents of transfer for the vehicle.

6. A charitable organization which intends to sell a vehicle which has been donated to the organization must deliver immediately to the department or its agent the certificate of registration and the license plate or plates for the vehicle ~~H~~, *if the license plate or plates have not been removed from the vehicle*. The charitable organization must not be required to register, pay a transfer or registration fee for, or pay a privilege tax on the vehicle. When the vehicle is sold by the charitable organization, the purchaser shall apply for registration as provided in NRS 482.215 and pay the privilege taxes due.

7. As used in this section, "wholesale vehicle auctioneer" means a dealer who:

(a) Is engaged in the business of auctioning consigned motor vehicles to vehicle dealers or automobile wreckers, or both, who are licensed as such in this or any other state; and

(b) Does not in the ordinary course of his business buy, sell or own the vehicles he auctions.

Sec. 5. NRS 482.423 is hereby amended to read as follows:

482.423 1. When a new vehicle is sold in this state for the first time, the seller shall complete and execute a manufacturer's certificate of origin or a manufacturer's statement of origin and, unless the vehicle is sold to a licensed dealer, a dealer's report of sale. The dealer's report of sale must be in a form prescribed by the department and must include:

(a) A description of the vehicle;

(b) The name and address of the seller; and

(c) The name and address of the buyer.

2. If, in connection with the sale, a security interest is taken or retained by the seller to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the vehicle, the name and address of the secured party or his assignee must be entered on the dealer's report of sale and on the manufacturer's certificate or statement of origin.

3. Unless an extension of time is granted by the department, the seller shall:

(a) Collect the fee set forth in NRS 482.429 for a certificate of title for a vehicle registered in this state; *and*

(b) Submit the original of the dealer's report of sale and the manufacturer's certificate or statement of origin and remit the fee collected pursuant to this subsection for the certificate of title to the department within 20 days after the execution of the dealer's report of sale. ~~†; and~~

~~— (c) Furnish to the buyer:~~

~~— (1) One copy of the dealer's report of sale.; and~~

~~— (2) A temporary placard for use in place of a license plate. The temporary placard must be in a form prescribed by the department, be made of a material appropriate for use on the exterior of a vehicle and contain the date of expiration of the dealer's report of sale in a size consistent with the unique numbers and letters of a license plate.~~

~~— 4. One copy of the dealer's report of sale must be affixed to the right front windshield of the vehicle, and the temporary placard must be affixed to the rear of the vehicle in place of the license plate.†~~

4. Upon entering into a contract for the sale of a new vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must:

(a) Be in a form prescribed by the department;

(b) Be made of a material appropriate for use on the exterior of a vehicle;

(c) Be free from foreign materials and clearly visible from the rear of the vehicle; and

(d) Include the date of its expiration.

5. Compliance with the requirements of subsection 4 permits the vehicle to be operated for a period not to exceed ~~†10 days.†~~ *30 days after the execution of the contract.* Upon the issuance of the certificate of registration and license plates for the vehicle or the expiration of ~~†10 days after the sale.†~~ *the temporary placard,* whichever occurs first, the buyer shall remove the ~~†copy of the dealer's report of sale from the windshield of the vehicle and the†~~ temporary placard from the rear of the vehicle.

6. For the purposes of establishing compliance with the period required by paragraph (b) of subsection 3, the department shall use the date imprinted or otherwise indicated on the dealer's report of sale as the beginning date of the 20-day period.

7. ~~†The department shall furnish a special permit for use when a contract of sale is entered to enable the buyer to operate the vehicle for a period not to exceed 20 days.†~~ Upon execution of all required documents to complete the sale of a vehicle, the dealer shall ~~†~~

~~— (a) Remove the special permit; and~~

~~— (b) Execute a†~~ *execute the* dealer's report of sale and furnish a copy of the report ~~†and a temporary placard†~~ to the buyer ~~†as required by this section.†~~ *not less than 10 days before the expiration of the temporary placard.*

Sec. 6. NRS 482.4235 is hereby amended to read as follows:

482.4235 1. If a new vehicle is leased in this state by a long-term lessor, the long-term lessor shall complete and execute a manufacturer's certificate of origin or a manufacturer's statement of origin, and a long-term lessor's report of lease. Such a report must be in a form prescribed by the department and must include:

- (a) A description of the vehicle; and
- (b) The names and addresses of the long-term lessor, long-term lessee and any person having a security interest in the vehicle.

2. Unless an extension of time is granted by the department, the long-term lessor shall ~~+~~

~~—(a) Submit~~ **submit** the original of the long-term lessor's report of lease and the manufacturer's certificate of origin or manufacturer's statement of origin to the department within 20 days after the execution of the long-term lessor's report of lease . ~~+~~ **and**

~~—(b) Furnish to the long-term lessee:~~

~~—(1) One copy of the long-term lessor's report of lease; and~~

~~—(2) A temporary placard for use in place of a license plate. The temporary placard must be in a form prescribed by the department, be made of a material appropriate for use on the exterior of a vehicle and contain the date of expiration of the long-term lessor's report of lease in a size consistent with the unique numbers and letters of a license plate.~~

~~—3. The long-term lessor shall affix one copy of the long-term lessor's report of lease to the right front windshield of the vehicle and the temporary placard to the rear of the vehicle in place of a license plate.~~

3. Upon entering into a lease for a new vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must:

(a) Be in a form prescribed by the department;

(b) Be made of a material appropriate for use on the exterior of a vehicle;

(c) Be free from foreign materials and clearly visible from the rear of the vehicle; and

(d) Include the date of its expiration.

4. Compliance with the requirements of subsection 3 permits the vehicle to be operated for a period not to exceed ~~10 days~~ **30 days after the execution of the lease.** Upon issuance of the certificate of registration and **license plates** for the vehicle or the expiration of ~~10 days after the lease,~~ **the temporary placard,** whichever occurs first, the long-term lessee shall remove the ~~copy of the long-term lessor's report of lease from the windshield of the vehicle and the~~ temporary placard from the rear of the vehicle.

5. For the purposes of establishing compliance with the period required by ~~paragraph (a) of~~ subsection 2, the department shall use the date imprinted or otherwise indicated on the long-term lessor's report of lease as the beginning date of the 20-day period.

6. ~~When a contract to lease a new vehicle is entered into, the department shall furnish a special permit to the long-term lessor to enable the long-term lessee to operate the vehicle for not more than 20 days.~~ Upon executing all documents necessary to complete the lease of the vehicle, the long-term lessor shall ~~+~~

~~—(a) Remove the special permit; and~~

~~—(b) Execute~~ **execute** the long-term lessor's report of lease and furnish a copy of the report ~~and a temporary placard~~ to the long-term lessee ~~as required by this section.~~ **not less than 10 days before the expiration of the temporary placard.**

Sec. 7. NRS 482.424 is hereby amended to read as follows:

482.424 1. When a used or rebuilt vehicle is sold in this state to any person, except a licensed dealer, by a dealer, rebuilder, long-term lessor or short-term lessor, the seller shall complete and execute a dealer's or rebuilder's report of sale. The dealer's or rebuilder's report of sale must be in a form prescribed by the department and must include:

- (a) A description of the vehicle, including whether it is a rebuilt vehicle;
- (b) The name and address of the seller; and
- (c) The name and address of the buyer.

2. If a security interest exists at the time of the sale, or if in connection with the sale a security interest is taken or retained by the seller to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the vehicle, the name and address of the secured party must be entered on the dealer's or rebuilder's report of sale.

3. Unless an extension of time is granted by the department, the seller shall:

(a) Collect the fee set forth in NRS 482.429 for a certificate of title for a vehicle registered in this state; *and*

(b) Submit the original of the dealer's or rebuilder's report of sale and remit the fee collected pursuant to this subsection for the certificate of title to the department within 30 days after the execution of the dealer's or rebuilder's report of sale, together with the properly endorsed certificate of title or certificate of ownership previously issued for the vehicle. ~~†; and~~

~~—(c) Furnish to the buyer:~~

~~—(1) One copy of the dealer's or rebuilder's report of sale; and~~

~~—(2) A temporary placard for use in place of a license plate. The temporary placard must be in a form prescribed by the department, be made of a material appropriate for use on the exterior of a vehicle and contain the date of expiration of the dealer's or rebuilder's report of sale in a size consistent with the unique numbers and letters of a license plate.~~

~~—4. One copy of the dealer's or rebuilder's report of sale must be affixed to the front right windshield of the vehicle, and the temporary placard must be affixed to the rear of the vehicle in place of a license plate.†~~

4. Upon entering into a contract for the sale of a used or rebuilt vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must:

(a) Be in a form prescribed by the department;

(b) Be made of a material appropriate for use on the exterior of a vehicle;

(c) Be free from foreign materials and clearly visible from the rear of the vehicle; and

(d) Include the date of its expiration.

5. Compliance with the requirements of subsection 4 permits the vehicle to be operated for not more than ~~†10 days.†~~ *30 days after the execution of the contract.* Upon the issuance of the certificate of registration *and license plates* for the vehicle or the expiration of ~~†10 days after the sale.†~~ *the temporary placard,* whichever occurs first, the buyer shall remove the ~~†copy of the dealer's or rebuilder's report of sale from the~~

~~windshield of the vehicle and the~~ temporary placard from the rear of the vehicle.

6. For the purposes of establishing compliance with the period required by paragraph (b) of subsection 3, the department shall use the date imprinted or otherwise indicated on the dealer's or rebuilder's report of sale as the beginning date of the 30-day period.

7. ~~{The department shall furnish a special permit which may be used when a contract of sale is made, to enable the buyer to operate the vehicle purchased by him for not more than 20 days.}~~ Upon executing all documents necessary to complete the sale of the vehicle, the ~~{dealer shall:~~
— (a) ~~Remove the special permit; and~~
— (b) ~~Execute}~~ *seller shall execute* the dealer's *or rebuilder's* report of sale and furnish a copy of the report ~~{and a temporary placard}~~ to the buyer ~~{as required by this section.}~~ *not less than 10 days before the expiration of the temporary placard.*

Sec. 8. NRS 482.4245 is hereby amended to read as follows:

482.4245 1. If a used or rebuilt vehicle is leased in this state by a long-term lessor, the long-term lessor shall complete and execute a long-term lessor's report of lease. Such a report must be in a form prescribed by the department and must include:

- (a) A description of the vehicle;
- (b) An indication as to whether the vehicle is a rebuilt vehicle; and
- (c) The names and addresses of the long-term lessor, long-term lessee and any person having a security interest in the vehicle.

2. Unless an extension of time is granted by the department, the long-term lessor shall ~~;~~

~~— (a) Submit}~~ *submit* the original of the long-term lessor's report of lease to the department within 30 days after the execution of the long-term lessor's report of lease, together with the properly endorsed certificate of title or certificate of ownership previously issued for the vehicle. ~~;~~ *and*

~~— (b) Furnish to the long-term lessee:~~

- ~~— (1) One copy of the long-term lessor's report of lease; and~~
- ~~— (2) A temporary placard for use in place of a license plate. The temporary placard must be in a form prescribed by the department, be made of a material appropriate for use on the exterior of a vehicle and contain the date of expiration of the long-term lessor's report of lease in a size consistent with the unique numbers and letters of a license plate.~~

~~— 3. The long-term lessor shall affix one copy of the report to the right front windshield of the vehicle and the temporary placard to the rear of the vehicle in place of a license plate.}~~

3. Upon entering into a lease for a used or rebuilt vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must:

- (a) Be in a form prescribed by the department;*
- (b) Be made of a material appropriate for use on the exterior of a vehicle;*
- (c) Be free from foreign materials and clearly visible from the rear of the vehicle; and*
- (d) Include the date of its expiration.*

4. Compliance with the requirements of subsection 3 permits the vehicle to be operated for a period not to exceed ~~{10 days}~~ *30 days after the execution of the lease*. Upon issuance of the certificate of registration *and license plates* for the vehicle or the expiration of ~~{10 days after the lease}~~ *the temporary placard*, whichever occurs first, the long-term lessee shall remove the ~~{copy of the long-term lessor's report of lease from the windshield of the vehicle and the}~~ temporary placard from the rear of the vehicle.

5. For the purposes of establishing compliance with the period required by ~~{paragraph (a) of}~~ subsection 2, the department shall use the date imprinted or otherwise indicated on the long-term lessor's report of lease as the beginning date of the 30-day period.

6. ~~{When a contract to lease a used or rebuilt vehicle is entered into, the department shall furnish a special permit to the long-term lessor to enable the long-term lessee to operate the vehicle for not more than 20 days.}~~ Upon executing all documents necessary to complete the lease of the vehicle, the long-term lessor shall ~~{:~~

~~—(a) Remove the special permit; and~~

~~—(b) Execute}~~ *execute* the long-term lessor's report of lease and furnish a copy of the report ~~{and a temporary placard}~~ to the long-term lessee ~~{as required by this section.}~~ *not less than 10 days before the expiration of the temporary placard.*

Sec. 9. Chapter 483 of NRS is hereby amended by adding thereto the provisions set forth as sections 10 and 11 of this act.

Sec. 10. 1. *The department may enter into an agreement with another state to facilitate the exchange of information concerning the issuance, renewal, suspension or revocation of drivers' licenses and to ensure that each driver possesses only one license and driving record.*

2. The department shall adopt regulations necessary to carry out any such agreement.

Sec. 11. *An applicant for a license to operate a school for training drivers or a license as an instructor for a school for training drivers must submit to the department:*

1. A complete set of his fingerprints and written permission authorizing the department to forward those fingerprints to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation for its report; and

2. The fee established by the department for processing the fingerprints of the applicant. The fee must not exceed the total amount charged by the central repository for Nevada records of criminal history and the Federal Bureau of Investigation for processing the fingerprints of the applicant.

Sec. 12. NRS 483.390 is hereby amended to read as follows:

483.390 Whenever any person after applying for or receiving a driver's license moves from the address named in the application or in the license issued to him, or when the name of a licensee is changed, that person shall within ~~{10}~~ *30* days thereafter notify the motor vehicles branch of the department of his new and old addresses, or of such former and new names, and of the number of any license then held by him.

Sec. 13. NRS 483.475 is hereby amended to read as follows:

483.475 1. ~~When~~ *Except as otherwise provided in this subsection, when* a driver has accumulated ~~six~~ 3 or more demerit points, but less than 12, the department shall notify him of this fact. If, after the department mails ~~this~~ *the* notice, the driver presents proof to the department that he has successfully completed a course of traffic safety approved by the department ~~and~~ *and a statement signed by him which indicates that the successful completion of the course was not required pursuant to a plea agreement,* the department shall cancel ~~three~~ *not more than 3* demerit points from his driving record. If the driver accumulates 12 or more demerit points before completing the course of traffic safety, he will not be entitled to have demerit points canceled upon the completion of the course, but must have his license suspended. A person may attend a course only once in 12 months for the purpose of reducing his demerit points. The ~~three~~ 3 demerit points may only be canceled from a driver's record during the 12-month period immediately following the driver's successful completion of the course of traffic safety. *The provisions of this subsection do not apply to a person whose successful completion of a course of traffic safety was required pursuant to a plea agreement.*

2. Any reduction of ~~three~~ demerit points applies only to the demerit record of the driver and does not affect his driving record with the department or his insurance record.

3. The department shall use a cumulative period for the suspension of licenses pursuant to subsection 1. The periods of suspension are:

(a) For the first accumulation of 12 demerit points during a 12-month period, 6 months. A driver whose license is suspended pursuant to this paragraph is eligible for a restricted license during the suspension.

(b) For the second accumulation within 3 years of 12 demerit points during a 12-month period, 1 year. A driver whose license is suspended pursuant to this paragraph is eligible for a restricted license during the suspension.

(c) For the third accumulation within 5 years of 12 demerit points during a 12-month period, 1 year. A driver whose license is suspended pursuant to this paragraph is not eligible for a restricted license during the suspension.

4. The department shall suspend for 1 year the license of a driver who is convicted of a sixth traffic offense within 5 years if all six offenses have been assigned a value of four or more demerit points. A driver whose license is suspended pursuant to this subsection is not eligible for a restricted license during the suspension.

5. If the department determines by its records that the license of a driver must be suspended pursuant to this section, it shall notify the driver by mail that his privilege to drive is subject to suspension.

6. Except as provided in subsection 7, the department shall suspend the license 30 days after it mails the notice required by subsection 5.

7. If a written request for a hearing is received by the department:

(a) The suspension of the license is stayed until a determination is made by the department after the hearing.

(b) The hearing must be held within 45 days after the request is received in the county where the driver resides unless he and the department agree

that the hearing may be held in some other county. The scope of the hearing must be limited to whether the records of the department accurately reflect the driving history of the driver.

Sec. 14. NRS 483.710 is hereby amended to read as follows:

483.710 An applicant for a license to operate a school for training drivers must:

1. Be of good moral character.
2. Maintain an established place of business:
 - (a) That is open to the public;
 - (b) That is not within 200 feet of any building used by the department as an office; and
 - (c) Where the records of the school are maintained.
3. Have the equipment necessary to give proper instruction in the operation of motor vehicles.
4. Be 21 years of age or older.
5. ~~Hold a valid driving instructor's certificate issued by the state department of education in accordance with regulations prescribed by the state board of education governing the qualifications of instructors in privately owned schools for training drivers.~~
- ~~6.~~ Have at least 100 hours of experience as an instructor operating vehicles with pupils at a school for training drivers, if the school for which the applicant is applying for a license will provide that training to pupils enrolled at the school.

~~7.~~ **6.** File with the department a surety bond in the amount of \$10,000 to the department, executed by the applicant as principal with a corporation authorized to transact surety business in this state as surety. The bond must be continuous in form and conditioned that the operator conduct the business of the school as an instructional institution without fraud or fraudulent representation. Upon application by an operator, the department may reduce the amount of the bond required to an amount not less than \$5,000 if the operator has satisfactorily conducted his school for the 5 years immediately preceding the application for reduction.

Sec. 15. NRS 483.720 is hereby amended to read as follows:

483.720 An applicant for a license as an instructor for a school for training drivers must:

1. Be of good moral character;
2. Pass such examination as the department may require on traffic laws, safe driving practices and operation of motor vehicles;
3. Be physically able to operate a motor vehicle safely and train others in the operation of motor vehicles;
4. Hold a valid Nevada driver's license; *and*
5. Be 21 years of age or older. ~~}; and~~
- ~~6. Hold a valid driving instructor's certificate issued by the state department of education in accordance with regulations prescribed by the state board of education governing the qualifications of instructors in privately owned schools for training drivers.~~

Sec. 16. NRS 483.730 is hereby amended to read as follows:

483.730 1. The department shall issue a license to operate a school for training drivers or to act as an instructor for such a school, if it is

satisfied that the applicant has met the qualifications required by NRS 483.700 to 483.780, inclusive ~~H~~, *and section 11 of this act.*

2. The license is valid for 5 years after the date of issuance, unless canceled, suspended or revoked by the department and, except as otherwise provided in subsection 3, may be renewed subject to the same conditions as the original *license, except that an operator of or instructor for a school for training drivers is not required to comply with the provisions of section 11 of this act for the renewal of his* license.

3. The department may renew the license of an instructor of a school for training drivers if, when he submits his application for the renewal of his license, he provides evidence satisfactory to the department that, during the period of the license, he completed at least six credits of continuing education by attending:

(a) A course of instruction relating to the training of drivers approved by the department; or

(b) A state or national conference approved by the department of education for credit for continuing education.

4. In determining whether an instructor has complied with the provisions of subsection 3, the department shall award one credit of continuing education for the completion of each 15 hours of:

(a) Classroom instruction in a course specified in paragraph (a) of subsection 3; or

(b) Attendance at a conference specified in paragraph (b) of subsection 3.

Sec. 17. NRS 485.187 is hereby amended to read as follows:

485.187 1. Except as otherwise provided in subsection 5, the owner of a motor vehicle shall not:

(a) Operate the motor vehicle, if it is registered or required to be registered in this state, without having insurance as required by NRS 485.185.

(b) Operate or knowingly permit the operation of the motor vehicle without having evidence of insurance of the operator or the vehicle in the vehicle.

(c) Fail or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the department the evidence of insurance.

(d) Knowingly permit the operation of the motor vehicle in violation of subsection 3 of NRS 485.186.

2. A person shall not operate the motor vehicle of another person unless:

(a) He first ensures that the required evidence of insurance is present in the motor vehicle; or

(b) He has his own evidence of insurance which covers him as the operator of the motor vehicle.

3. Except as otherwise provided in subsection 4, any person who violates subsection 1 or 2 is guilty of a misdemeanor. Except as otherwise provided in this subsection, in addition to any other penalty, a person sentenced pursuant to this subsection shall be punished by a fine of not less than \$600 nor more than \$1,000 for each violation. The fine must be reduced to \$100 for the first violation if the person obtains a motor vehicle liability policy by the time of sentencing, unless:

(a) The person has registered the vehicle as part of a fleet of vehicles pursuant to subsection 5 of NRS 482.215; or

(b) The person has been issued a certificate of self-insurance pursuant to NRS 485.380.

4. A court:

(a) Shall not find a person guilty or fine a person for a violation of paragraph (a), (b) or (c) of subsection 1 or for a violation of subsection 2 if he presents evidence to the court that the insurance required by NRS 485.185 was in effect at the time demand was made for it.

(b) Except as otherwise provided in paragraph (a), may impose a fine of not more than \$1,000 for a violation of paragraph (a), (b) or (c) of subsection 1, and suspend the balance of the fine on the condition that the person presents proof to the court each month for 12 months that the insurance required by NRS 485.185 is currently in effect.

5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the department pursuant to subsection 1 or 2 of NRS 482.3955, or NRS 482.396 ~~1, 482.3965, 482.423 or 482.424~~ or 482.3965 authorizing the movement or operation of that vehicle within the state for a limited time.

Sec. 18. Section 70 of Senate Bill No. 59 of this session is hereby amended to read as follows:

Sec. 70. NRS 482.400 is hereby amended to read as follows:

482.400 1. Except as otherwise provided in this subsection and subsections 2, 5 and 6, upon a transfer of the title to, or the interest of an owner in, a vehicle registered or issued a certificate of ownership under the provisions of this chapter, the person or persons whose title or interest is to be transferred and the transferee shall write their signatures with pen and ink upon the certificate of ownership issued for the vehicle, together with the residence address of the transferee, in the appropriate spaces provided upon the reverse side of the certificate. The department may, by regulation, prescribe alternative methods by which a signature may be affixed upon a manufacturer's certificate of origin or a manufacturer's statement of origin issued for a vehicle. The alternative methods must ensure the authenticity of the signatures.

2. The department shall provide a form for use by a dealer for the transfer of ownership of a vehicle. The form must be produced in a manner which ensures that the form may not be easily counterfeited. Upon the attachment of the form to a certificate of ownership issued for a vehicle, the form becomes a part of that certificate of ownership. The department may charge a fee not to exceed the cost to provide the form.

3. Except as otherwise provided in subsections 4, 5 and 6, the transferee shall immediately apply for registration as provided in NRS 482.215, and shall pay the ~~privilege~~ governmental services taxes due.

4. If the transferee is a dealer who intends to resell the vehicle, he is not required to register, pay a transfer or registration fee for, or pay a ~~privilege~~ governmental services tax on the vehicle. When the vehicle is resold, the purchaser shall apply for registration as provided

in NRS 482.215, and shall pay the ~~privilege~~ *governmental services* taxes due.

5. If the transferee consigns the vehicle to a wholesale vehicle auctioneer:

(a) The transferee shall, within 30 days after that consignment, provide the wholesale vehicle auctioneer with the certificate of ownership for the vehicle, executed as required by subsection 1, and any other documents necessary to obtain another certificate of ownership for the vehicle.

(b) The wholesale vehicle auctioneer shall be deemed a transferee of the vehicle for the purposes of subsection 4. The wholesale vehicle auctioneer is not required to comply with subsection 1 if he:

(1) Does not take an ownership interest in the vehicle;

(2) Auctions the vehicle to a vehicle dealer or automobile wrecker who is licensed as such in this or any other state; and

(3) Stamps his name, his identification number as a vehicle dealer and the date of the auction on the certificate of ownership and the bill of sale and any other documents of transfer for the vehicle.

6. A charitable organization which intends to sell a vehicle which has been donated to the organization must deliver immediately to the department or its agent the certificate of registration and the license plate or plates for the vehicle, if the license plate or plates have not been removed from the vehicle. The charitable organization must not be required to register, pay a transfer or registration fee for, or pay a ~~privilege~~ *governmental services* tax on the vehicle. When the vehicle is sold by the charitable organization, the purchaser shall apply for registration as provided in NRS 482.215 and pay the ~~privilege~~ *governmental services* taxes due.

7. As used in this section, “wholesale vehicle auctioneer” means a dealer who:

(a) Is engaged in the business of auctioning consigned motor vehicles to vehicle dealers or automobile wreckers, or both, who are licensed as such in this or any other state; and

(b) Does not in the ordinary course of his business buy, sell or own the vehicles he auctions.

Sec. 19. NRS 483.640, 483.650, 483.660, 483.680 and 483.690 are hereby repealed.

Sec. 20. This act becomes effective upon passage and approval.