

Senate Bill No. 524—Committee on Transportation

CHAPTER.....

AN ACT relating to vehicles; authorizing the department of motor vehicles and public safety to establish a program for the electronic submission and storage of documents relating to the registration and title of vehicles; prescribing the requirements of the program; authorizing the department to charge a fee for participation in the program; revising related provisions governing registration; and providing other matters properly relating thereto.

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

**Section 1.** Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2.** *As used in sections 2, 3 and 4 of this act, unless the context otherwise requires, “document” means an application, notice, report, statement or other record relating to the issuance or renewal of a certificate of registration, or the issuance of a certificate of ownership pursuant to this chapter by financial institutions, new vehicle dealers and used vehicle dealers on behalf of their customers.*

**Sec. 3. 1.** *The department may establish a program for the electronic submission and storage of documents.*

*2. If the department establishes a program pursuant to subsection 1:*

*(a) An electronic submission or storage of documents that is carried out pursuant to the program with respect to a particular transaction is not valid unless all original documents required for the transaction pursuant to:*

*(1) The provisions of 49 U.S.C. §§ 32701 et seq.; and*

*(2) The provisions of any regulations adopted pursuant thereto,*

*have been executed and submitted to the department.*

*(b) The department shall adopt regulations to carry out the program.*

**3.** *The regulations required to be adopted pursuant to paragraph (b) of subsection 2 must include, without limitation:*

*(a) The type of electronic transmission that the department will accept for the program.*

*(b) The process for submission of an application by a person who desires to participate in the program and the fee, if any, that must accompany the application for participation.*

*(c) The criteria that will be applied by the department in determining whether to approve an application to participate in the program.*

*(d) The standards for ensuring the security and integrity of the process for issuance and renewal of a certificate of registration, certificate of ownership and certificate of title, including, without limitation, the procedure for a financial and performance audit of the program.*

*(e) The terms and conditions for participation in the program and any restrictions on the participation.*

*(f) The contents of a written agreement that must be on file with the department pursuant to subsection 2 of section 4 of this act before a*

*participant may submit a document by electronic means to the department. Such written agreement must include, without limitation:*

*(1) An assurance that each document submitted by electronic means contains all the information that is necessary to complete the transaction for which the document is submitted;*

*(2) Certification that all the information contained in each document that is submitted by electronic means is truthful and accurate;*

*(3) An assurance that the participant who submits a document by electronic means will maintain all information and records that are necessary to support the document; and*

*(4) The signature of the participant who files the written agreement with the department.*

*(g) The conditions under which the department may revoke the approval of a person to participate in the program, including, without limitation, failure to comply with this section and section 4 of this act and the regulations adopted pursuant thereto.*

*(h) The method by which the department will store documents that are submitted to it by electronic means.*

*(i) The required technology that is necessary to carry out the program.*

*(j) Any other regulations that the department determines necessary to carry out the program.*

*(k) Procedures to ensure compliance with:*

*(1) The provisions of 49 U.S.C. §§ 32701 et seq.; and*

*(2) The provisions of any regulations adopted pursuant thereto,*

*to the extent that such provisions relate to the submission and retention of documents used for the transfer of the ownership of vehicles.*

*4. The department may accept gifts and grants from any source, including, without limitation, donations of materials, equipment and labor, for the establishment and maintenance of a program pursuant to this section.*

*Sec. 4. 1. If the department approves an application for a person to participate in a program established pursuant to section 3 of this act, that participant may submit, by electronic means, a document that is required to be submitted pursuant to this chapter for the issuance or renewal of a certificate of registration, certificate of ownership or certificate of title.*

*2. If the signature of a natural person is required pursuant to this chapter on a document that is submitted by electronic means, the department may waive that requirement if the participant who submitted the document on behalf of that person complies with all requirements of this program.*

*3. Notwithstanding any other provision of law to the contrary, a document that is submitted by electronic means pursuant to subsection 1, if accepted by the department, shall be deemed an original document in administrative proceedings, quasi-judicial proceedings and judicial proceedings.*

*Sec. 5. NRS 482.215 is hereby amended to read as follows:*

*482.215 1. All applications for registration, except applications for renewal of registration, must be made as provided in this section.*

2. ~~Applications~~ *Except as otherwise provided in section 4 of this act, applications* for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the department or to a registered dealer.

3. Each application must be made upon the appropriate form furnished by the department and contain:

(a) The signature of the owner ~~H~~, *except as otherwise provided in subsection 2 of section 4 of this act, if applicable.*

(b) His residential address.

(c) His declaration of the county where he intends the vehicle to be based, unless the vehicle is deemed to have no base. The department shall use this declaration to determine the county to which the governmental services tax is to be paid.

(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this state for the make to be registered to the person first purchasing or operating the vehicle.

(e) Proof satisfactory to the department or registered dealer that the applicant has provided the insurance required by NRS 485.185 and *, except as otherwise provided in this paragraph,* his signed declaration that he will maintain the insurance during the period of registration. *If the application is submitted by electronic means pursuant to section 4 of this act, the applicant is not required to sign the declaration required by this paragraph.*

(f) If the insurance is provided by a contract of insurance, evidence of that insurance provided by the insurer in the form of:

(1) A certificate of insurance on a form approved by the commissioner of insurance; or

(2) A card issued pursuant to NRS 690B.023 which identifies the vehicle and indicates, at the time of application for registration, coverage which meets the requirements of NRS 485.185.

The department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of the applicant's compliance with controls over emission.

4. The application must contain such other information as is required by the department or registered dealer, and must be accompanied by proof of ownership satisfactory to the department.

5. For purposes of the proof, declaration and evidence required by paragraphs (e) and (f) of subsection 3:

(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this state, may be declared as a fleet by the registered owner thereof, on his original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of 10 or more vehicles based in this state or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file evidence of that insurance.

**Sec. 6.** NRS 482.280 is hereby amended to read as follows:

482.280 1. The registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. The department shall mail to each holder of a certificate of registration an application for renewal of registration for the following period of registration. The applications must be mailed by the department in sufficient time to allow all applicants to mail the applications to the department and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present *or submit* the application to any agent or office of the department.

2. An application ~~mailed~~ :

(a) *Mailed* or presented to the department or to a county assessor pursuant to the provisions of this section ~~or presented~~ ;

(b) *Submitted to the department pursuant to section 4 of this act; or*

(c) *Presented* to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281 , must include, if required, evidence of compliance with standards for control of emissions.

3. The department shall insert in each application mailed pursuant to subsection 1:

(a) The amount of the governmental services tax to be collected for the county pursuant to the provisions of NRS 482.260.

(b) The amount set forth in a notice of nonpayment filed with the department by a local authority pursuant to NRS 484.444.

(c) A statement which informs the applicant that, pursuant to NRS 485.185, he is legally required to maintain insurance during the period in which the motor vehicle is registered.

4. An owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the department as it may find necessary for the issuance of the new plate or plates or card of registration.

**Sec. 7.** NRS 482.399 is hereby amended to read as follows:

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

2. The holder of the original registration may transfer the registration to another vehicle to be registered by him and use the same license plate or plates thereon, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he is transferring his ownership or interest.

~~{Application}~~ *Except as otherwise provided in section 4 of this act, an application* for transfer of registration must be made in person, if practicable, to any office or agent of the department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete. In computing the governmental services tax, the department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers his ownership or interest in two or more vehicles, the department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers his ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner.

3. In computing the registration fee, the department or its agent or the registered dealer shall credit the portion of the registration fee paid on each vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis against the registration fee due on the vehicle to which registration is transferred. If the amount owed on the registration fee or governmental services tax on that vehicle is less than the credit on the total registration fee or governmental services tax paid on all vehicles from which a person transfers his ownership or interest, the department shall issue to the person a refund in an amount equal to the difference between the amount owed on the registration fee or governmental services tax on that vehicle and the credit on the total registration fee or governmental services tax paid on all vehicles from which a person transfers his ownership or interest.

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

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

6. If a person cancels his registration and surrenders to the department his license plates for a vehicle, the department shall issue to the person a refund of the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis.

**Sec. 8.** 1. This section and sections 1 to 4, inclusive, of this act become effective on July 1, 2001.

2. Sections 5, 6 and 7 of this act become effective at 12:01 a.m. on July 1, 2001.