

SENATE BILL NO. 524—COMMITTEE ON TRANSPORTATION

MARCH 26, 2001

Referred to Committee on Transportation

SUMMARY—Authorizes electronic submission and storage of documents relating to vehicle registration. (BDR 43-1222)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to 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:

- 1 **Section 1.** Chapter 482 of NRS is hereby amended by adding thereto
- 2 the provisions set forth as sections 2, 3 and 4 of this act.
- 3 **Sec. 2.** *As used in sections 2, 3 and 4 of this act, unless the context*
- 4 *otherwise requires, “document” means an application, notice, report,*
- 5 *statement or other record relating to the issuance or renewal of a*
- 6 *certificate of registration, or the issuance of a certificate of ownership*
- 7 *pursuant to this chapter by financial institutions, new vehicle dealers and*
- 8 *used vehicle dealers on behalf of their customers.*
- 9 **Sec. 3.** *1. The department may establish a program for the*
- 10 *electronic submission and storage of documents.*
- 11 *2. If the department establishes a program pursuant to subsection 1:*
- 12 *(a) An electronic submission or storage of documents that is carried*
- 13 *out pursuant to the program with respect to a particular transaction is*
- 14 *not valid unless all original documents required for the transaction*
- 15 *pursuant to:*
- 16 *(1) The provisions of 49 U.S.C. §§ 32701 et seq.; and*
- 17 *(2) The provisions of any regulations adopted pursuant*
- 18 *thereto,*
- 19 *have been executed and submitted to the department.*
- 20 *(b) The department shall adopt regulations to carry out the program.*



- 1 3. *The regulations required to be adopted pursuant to paragraph (b)*
2 *of subsection 2 must include, without limitation:*
3 (a) *The type of electronic transmission that the department will accept*
4 *for the program.*
5 (b) *The process for submission of an application by a person who*
6 *desires to participate in the program and the fee, if any, that must*
7 *accompany the application for participation.*
8 (c) *The criteria that will be applied by the department in determining*
9 *whether to approve an application to participate in the program.*
10 (d) *The standards for ensuring the security and integrity of the*
11 *process for issuance and renewal of a certificate of registration,*
12 *certificate of ownership and certificate of title, including, without*
13 *limitation, the procedure for a financial and performance audit of the*
14 *program.*
15 (e) *The terms and conditions for participation in the program and any*
16 *restrictions on the participation.*
17 (f) *The contents of a written agreement that must be on file with the*
18 *department pursuant to subsection 2 of section 4 of this act before a*
19 *participant may submit a document by electronic means to the*
20 *department. Such written agreement must include, without limitation:*
21 (1) *An assurance that each document submitted by electronic*
22 *means contains all the information that is necessary to complete the*
23 *transaction for which the document is submitted;*
24 (2) *Certification that all the information contained in each*
25 *document that is submitted by electronic means is truthful and accurate;*
26 (3) *An assurance that the participant who submits a document by*
27 *electronic means will maintain all information and records that are*
28 *necessary to support the document; and*
29 (4) *The signature of the participant who files the written agreement*
30 *with the department.*
31 (g) *The conditions under which the department may revoke the*
32 *approval of a person to participate in the program, including, without*
33 *limitation, failure to comply with this section and section 4 of this act and*
34 *the regulations adopted pursuant thereto.*
35 (h) *The method by which the department will store documents that are*
36 *submitted to it by electronic means.*
37 (i) *The required technology that is necessary to carry out the program.*
38 (j) *Any other regulations that the department determines necessary to*
39 *carry out the program.*
40 (k) *Procedures to ensure compliance with:*
41 (1) *The provisions of 49 U.S.C. §§ 32701 et seq.; and*
42 (2) *The provisions of any regulations adopted pursuant*
43 *thereto,*
44 *to the extent that such provisions relate to the submission and retention*
45 *of documents used for the transfer of the ownership of vehicles.*
46 4. *The department may accept gifts and grants from any source,*
47 *including, without limitation, donations of materials, equipment and*
48 *labor, for the establishment and maintenance of a program pursuant to*
49 *this section.*



- 1 **Sec. 4.** 1. *If the department approves an application for a person to*
2 *participate in a program established pursuant to section 3 of this act, that*
3 *participant may submit, by electronic means, a document that is required*
4 *to be submitted pursuant to this chapter for the issuance or renewal of a*
5 *certificate of registration, certificate of ownership or certificate of title.*
6 2. *If the signature of a natural person is required pursuant to this*
7 *chapter on a document that is submitted by electronic means, the*
8 *department may waive that requirement if the participant who submitted*
9 *the document on behalf of that person complies with all requirements of*
10 *this program.*
11 3. *Notwithstanding any other provision of law to the contrary, a*
12 *document that is submitted by electronic means pursuant to subsection 1,*
13 *if accepted by the department, shall be deemed an original document in*
14 *administrative proceedings, quasi-judicial proceedings and judicial*
15 *proceedings.*
16 **Sec. 5.** NRS 482.215 is hereby amended to read as follows:
17 482.215 1. All applications for registration, except applications for
18 renewal of registration, must be made as provided in this section.
19 2. ~~{Applications}~~ *Except as otherwise provided in section 4 of this*
20 *act, applications* for all registrations, except renewals of registration, must
21 be made in person, if practicable, to any office or agent of the department
22 or to a registered dealer.
23 3. Each application must be made upon the appropriate form furnished
24 by the department and contain:
25 (a) The signature of the owner ~~H~~ , *except as otherwise provided in*
26 *subsection 2 of section 4 of this act, if applicable.*
27 (b) His residential address.
28 (c) His declaration of the county where he intends the vehicle to be
29 based, unless the vehicle is deemed to have no base. The department shall
30 use this declaration to determine the county to which the governmental
31 services tax is to be paid.
32 (d) A brief description of the vehicle to be registered, including the
33 name of the maker, the engine, identification or serial number, whether
34 new or used, and the last license number, if known, and the state in which
35 it was issued, and upon the registration of a new vehicle, the date of sale by
36 the manufacturer or franchised and licensed dealer in this state for the
37 make to be registered to the person first purchasing or operating the
38 vehicle.
39 (e) Proof satisfactory to the department or registered dealer that the
40 applicant has provided the insurance required by NRS 485.185 and , *except*
41 *as otherwise provided in this paragraph,* his signed declaration that he
42 will maintain the insurance during the period of registration. *If the*
43 *application is submitted by electronic means pursuant to section 4 of this*
44 *act, the applicant is not required to sign the declaration required by this*
45 *paragraph.*
46 (f) If the insurance is provided by a contract of insurance, evidence of
47 that insurance provided by the insurer in the form of:
48 (1) A certificate of insurance on a form approved by the
49 commissioner of insurance; or



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

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

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

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

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

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

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

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

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

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

31 482.280 1. The registration of every vehicle expires at midnight on
32 the day specified on the receipt of registration, unless the day specified
33 falls on a Saturday, Sunday or legal holiday. If the day specified on the
34 receipt of registration is a Saturday, Sunday or legal holiday, the
35 registration of the vehicle expires at midnight on the next judicial day. The
36 department shall mail to each holder of a certificate of registration an
37 application for renewal of registration for the following period of
38 registration. The applications must be mailed by the department in
39 sufficient time to allow all applicants to mail the applications to the
40 department and to receive new certificates of registration and license
41 plates, stickers, tabs or other suitable devices by mail before the expiration
42 of their registrations. An applicant may present *or submit* the application to
43 any agent or office of the department.

44 2. An application ~~mailed~~ :

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

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

48 (c) *Presented* to an authorized inspection station or authorized station
49 pursuant to the provisions of NRS 482.281 ,



1 must include, if required, evidence of compliance with standards for
2 control of emissions.

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

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

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

9 (c) A statement which informs the applicant that, pursuant to NRS
10 485.185, he is legally required to maintain insurance during the period in
11 which the motor vehicle is registered.

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

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

21 482.399 1. Upon the transfer of the ownership of or interest in any
22 vehicle by any holder of a valid registration, or upon destruction of the
23 vehicle, the registration expires.

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

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



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1 the vehicle to which the registration is transferred or on any other vehicle
2 of which the person is the registered owner.

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

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

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

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

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

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

