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PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

WORK SESSION

Assembly Committee on Transportation

February 27, 2003



Assembly Bill 30

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ASSEMBLY TRANSPORTATION

DATE: 2-27-03 ROOM: 3143 EXHIBIT J

SUBMITTED BY: Marji Paslov-Thomas

WORK SESSION

ASSEMBLY COMMITTEE ON TRANSPORTATION

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WORK SESSION

Assembly Committee on Transportation

February 27, 2003

The following measure will be considered for action by the Assembly Committee on Transportation during a work session on Thursday, February 27, 2003:

ASSEMBLY BILL 30

Makes various changes to the provisions governing the registration of motor vehicles by new residents of this state and the issuance of drivers' licenses to such persons.

Sponsored by: Assemblywoman McClain
Dates Heard: February 11, 2003—NACT
February 20, 2003 (previous work session)—A&DP

Discussion

Assembly Bill 30 would require that before the Department of Motor Vehicles (DMV) issues a driver's license to a new resident of the state, the new resident must register each vehicle he owns which is operated in the state. However, the DMV may issue a driver's license to a new resident of the state who provides a signed affidavit to the DMV attesting that he does not own any vehicle, which is operated in the state or is exempt from the requirement to register each vehicle he owns. A person who files a false affidavit is subject to penalties of perjury. According to a representative of the DMV, the DMV can "flag" a person's information in its computer system when a person signs an affidavit. Law enforcement agencies would have access to this information.

Additionally, A.B. 30 provides that a person may transfer the original registration to another vehicle registered by him and receive a credit on the portion of the registration and taxes for the remainder of the current period of registration.

Further, A.B. 30 repeals a provision that authorizes the DMV to refund unexpired registration fees and privilege taxes when the owner of a motor vehicle cancels his registration.

During the work session held on February 20, 2003, the Committee considered an amendment by Assemblyman Carpenter. The amendment would allow any Nevada resident who sells, trades, or junks a motor vehicle to receive a refund of the unexpired motor vehicle registration and taxes if the refund is more than \$100. The Committee requested the amendment and passed the bill out of Committee.

Proposed Conceptual Amendments

Assemblyman Carpenter proposes amending Assembly Bill 30 to provide that DMV adopt regulations concerning the requirements for granting refunds to a person who cancels his registration and surrenders to the DMV his license plates for a vehicle. The regulations adopted by the DMV must provide that if the DMV receives a request for a refund, it may issue a refund to a person only if: (a) a spouse has died; (b) he is unable to drive due to a medial condition; (c) he voluntarily surrenders his driver's license; or (d) in the event the motor vehicle has been involved in an accident, and an insurance company has determine the motor vehicle is a total loss. The DMV may adopt by regulation additional conditions under which it may issue a refund that are not in conflict with this subsection. Additionally, the DMV must not give a refund to a person unless the refund is \$100 or more.

This subsection would be effective January 1, 2004. The DMV indicated that it would take four to six months to prepare and adopt the regulations.

The amendment under TAB A provides suggested language. TAB B contains a spreadsheet of the DMV Refunds Fiscal Note, which was prepared and distributed to the committee by the DMV on February 11, 2003.

1. On page 7, amend Section 6, Subsection 7, by inserting a new Subsection 8 at line 34:

If a person cancels his registration and surrenders to the Department his license plates for a vehicle, the Department shall not issue to the person a refund if the amount of the refund is under \$100 for 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.

The Department shall adopt regulations to carry out the provisions of this subsection. The regulation shall provide that if the Department receives a request for a refund pursuant to this subsection, it may issue a refund to a person only if:

1. *The amount of the refund is \$100 or more for 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.*
2. *The person is a resident of the State of Nevada at the time he makes the request;*
3. *The person provides documentation which, in the determination of the Department provides reasonable proof that:*
 - a. his spouse has died;*
 - b. he is unable to drive due to a medical condition;*
 - c. he voluntarily surrenders his driver's license; or*
 - d. in the event the motor vehicle has been involved in an accident, an insurance company has determined the motor vehicle is a total loss, and*
4. *He cancels his registration and surrenders to the Department his license plates for the motor vehicle.*

The Department may adopt by regulation additional conditions under which it may issue a refund that are not in conflict with this subsection.

This subsection would be effective January 1, 2004.

A.B. 30
DMV Refunds Fiscal Note

Refund Revenue by Type

Cumulative total for Calendar Year 2001

State Reg Fee	
Registration Fee	\$1,050,363.35
Basic Governmental Services Tax	
Supplemental Governmental Services Tax	
Total	\$1,050,363.35

Carson City	Churchill	Clark	Douglas	Elko	Esmeralda	Eureka	Humboldt	Lander	Lincoln	Lyon	Mineral	Nye	Perkins	Silver	Washoe	White Pine	Total
\$71,151.70	\$30,051.20	\$1,483,364.35	\$79,577.73	\$51,431.23	\$2,177.80	\$4,380.40	\$2,874.32	\$7,007.86	\$4,383.40	\$44,917.14	\$4,861.84	\$57,810.04	\$5,503.87	\$3,738.88	\$361,761.12	\$10,050.80	\$6,037.10
\$7,208.45	\$378,461.12														\$101,480.15		\$6,037.10
\$71,151.70	\$37,966.68	\$1,861,825.47	\$79,577.73	\$51,431.23	\$2,177.80	\$4,380.40	\$2,874.32	\$7,007.86	\$4,383.40	\$44,917.14	\$4,861.84	\$57,810.04	\$5,503.87	\$3,738.88	\$463,241.27	\$10,050.80	\$12,074.20

Refund Revenue by Type

Cumulative total for Calendar Year 2002

State Reg Fee	
Registration Fee	\$1,352,332.06
Basic Governmental Services Tax	
Supplemental Governmental Services Tax	
Total	\$1,352,332.06

Carson City	Churchill	Clark	Douglas	Elko	Esmeralda	Eureka	Humboldt	Lander	Lincoln	Lyon	Mineral	Nye	Perkins	Silver	Washoe	White Pine	Total
\$91,764.48	\$29,105.91	\$1,659,187.80	\$93,924.19	\$57,052.57	\$600.18	\$2,578.50	\$20,882.27	\$4,388.72	\$4,910.85	\$46,804.17	\$5,153.71	\$61,374.79	\$5,654.00	\$4,388.33	\$481,276.17	\$10,524.00	\$6,037.10
\$7,208.45	\$378,461.12														\$101,480.15		\$6,037.10
\$91,764.48	\$29,105.91	\$1,659,187.80	\$93,924.19	\$57,052.57	\$600.18	\$2,578.50	\$20,882.27	\$4,388.72	\$4,910.85	\$46,804.17	\$5,153.71	\$61,374.79	\$5,654.00	\$4,388.33	\$582,756.32	\$10,524.00	\$12,074.20

Refund Revenue by Type

Projected total for Calendar Year 2003

State Reg Fee	
Registration Fee	\$1,504,876.62
Basic Governmental Services Tax	
Supplemental Governmental Services Tax	
Total	\$1,504,876.62

Carson City	Churchill	Clark	Douglas	Elko	Esmeralda	Eureka	Humboldt	Lander	Lincoln	Lyon	Mineral	Nye	Perkins	Silver	Washoe	White Pine	Total
\$108,171.48	\$30,518.54	\$1,918,880.28	\$98,964.59	\$66,008.62	\$717.53	\$2,863.32	\$24,276.48	\$7,588.44	\$5,681.97	\$54,152.42	\$5,698.70	\$71,010.03	\$6,738.37	\$7,588.38	\$553,686.33	\$12,177.19	\$6,037.10
\$7,208.45	\$378,461.12														\$101,480.15		\$6,037.10
\$108,171.48	\$30,518.54	\$1,918,880.28	\$98,964.59	\$66,008.62	\$717.53	\$2,863.32	\$24,276.48	\$7,588.44	\$5,681.97	\$54,152.42	\$5,698.70	\$71,010.03	\$6,738.37	\$7,588.38	\$655,166.48	\$12,177.19	\$12,074.20

Projections for Calendar Year 2003 were made using a constant growth rate of 15.7%.

Transaction Details	CY 01	CY 02
Total Number of Refunds Processed	76,871	181,019
Highest refund	\$1,073.09	\$5,083.39
Lowest refund	\$9.91	\$9.91
Average refund	\$49.53	\$49.53
% of Refunds Above Average Amount	47%	47%
% of Refunds Below Average Amount	53%	53%