

CHAPTER.....

AN ACT relating to motor vehicles; requiring the Director of the Department of Motor Vehicles to ensure that certain documents submitted to, issued by or retained by the Department contain the full legal name of the relevant person; providing that the document setting forth indicia of the ownership of a motor vehicle shall be known as a “certificate of title”; making various other changes relating to the operations of the Department; 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 481 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, the Director shall ensure that whenever a document is required by law to include the name of a person, the document sets forth the full legal name of that person.*

*2. The provisions of this section do not require the Director to alter, amend or otherwise change any documents that were created before October 1, 2003.*

*3. The Director may take any action he deems reasonable to facilitate achieving uniformity in the manner in which the documents and records of the Department refer to a particular person by name.*

*4. As used in this section:*

*(a) “Certificate of registration” means the certificate described in subsection 1 of NRS 482.245.*

*(b) “Document” means any:*

*(1) Application or record that a person is required to file with or submit to the Department;*

*(2) Card, certificate or license that the Department issues to a person; and*

*(3) Record that the Department is required to keep or maintain.*

*The term includes, without limitation, a certificate of registration, certificate of title, driver’s license and identification card, and an application or record pertaining to any such certificate, license or card.*

**Sec. 2.** NRS 481.015 is hereby amended to read as follows:

481.015 *1. Except as otherwise provided in this subsection, as used in this title, unless the context otherwise requires, “certificate of title” means the document issued by the Department*

*that identifies the legal owner of a vehicle and contains the information required pursuant to subsection 2 of NRS 482.245. The definition set forth in this subsection does not apply to chapters 488 and 489 of NRS.*

2. Except as otherwise provided in chapters 480 and 486A of NRS, as used in this title, unless the context otherwise requires:

~~(1)~~ (a) "Department" means the Department of Motor Vehicles.

~~(2)~~ (b) "Director" means the Director of the Department of Motor Vehicles.

**Sec. 3.** 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. 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 *paragraph (a) and* subsection 6, if a person or governmental entity 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, *except a photograph*, 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. 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 authorize such a use; and

(3) If the person about whom the information is requested 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 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. 4.** NRS 482.085 is hereby amended to read as follows:

482.085 "Owner" means a person who holds the legal title of a vehicle and whose name appears on the certificate of ~~ownership,~~ *title*, and any lienholder whose name appears on the certificate of ~~ownership,~~ *title*. If a vehicle is the subject of an agreement for the conditional sale or lease thereof with or without the right of purchase upon performance of the conditions stated in the

agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

**Sec. 5.** NRS 482.173 is hereby amended to read as follows:

482.173 1. Notwithstanding the provisions of any schedule for the retention and disposition of official state records to the contrary, the Director shall ensure that the Department retains the originals of:

(a) Certificates of ~~ownership~~ *title* that are submitted to the Department for the registration of a vehicle which has been sold or transferred; and

(b) Forms for a power of attorney that are submitted to the Department pursuant to subsection 2 of NRS 482.415, for at least 1 year after the date on which such documents are received by the Department.

2. Notwithstanding the provisions of NRS 239.080, the Director may order the destruction of certificates of ~~ownership~~ *title* and forms for a power of attorney which are retained pursuant to subsection 1 after the expiration of the 1-year period set forth in that subsection.

3. The Department shall keep a record showing when certificates of ~~ownership~~ *title* and forms for a power of attorney are destroyed.

**Sec. 6.** NRS 482.188 is hereby amended to read as follows:

482.188 1. The Department may waive payment of a penalty or interest for a person's failure timely to file a return or pay a tax, *penalty* or fee imposed *by the Department* pursuant to this chapter *or any other provision of law*, if the Department determines that the failure:

- (a) Was caused by circumstances beyond the person's control;
- (b) Occurred despite the person's exercise of ordinary care; and
- (c) Was not a result of the person's willful neglect.

2. A person requesting relief from payment of a penalty or interest must file with the Department a sworn statement specifying the facts supporting his claim for relief.

**Sec. 7.** NRS 482.235 is hereby amended to read as follows:

482.235 1. The Department shall file each application received and register the vehicle therein described and the owner thereof in suitable books or on index cards as follows:

(a) Under a distinctive registration number assigned to the vehicle and to the owner thereof, referred to in this chapter as the registration number.

(b) Alphabetically under the ~~legal~~ name of the owner.

(c) Numerically under the serial or vehicle identification number of the vehicle or a permanent identifying number, as may be determined by the Department.

2. A registered dealer who registers a vehicle shall assign a registration number for that vehicle according to a list of registration numbers issued by the Department for use by that dealer.

**Sec. 8.** NRS 482.240 is hereby amended to read as follows:

482.240 1. Upon ~~the~~ *the* registration of a vehicle, the Department or a registered dealer shall issue a certificate of registration to the owner.

2. When an applicant for registration or transfer of registration is unable, for any reason, to submit to the Department in support of the application for registration, or transfer of registration, such documentary evidence of legal ownership as, in the opinion of the Department, is sufficient to establish the legal ownership of the vehicle concerned in the application for registration or transfer of registration, the Department may issue to the applicant only a certificate of registration.

3. The Department may, upon proof of ownership satisfactory to it, issue a certificate of ~~ownership~~ *title* before the registration of the vehicle concerned. The certificate of registration issued pursuant to this chapter is valid only during the registration period or calendar year for which it is issued, and a certificate of ~~ownership~~ *title* is valid until canceled by the Department upon the transfer of interest therein.

**Sec. 9.** NRS 482.245 is hereby amended to read as follows:

482.245 1. The certificate of registration must contain upon the face thereof the date issued, the registration number assigned to the vehicle, the legal name and address of the registered owner, the county where the vehicle is to be based unless it is deemed to have no base, a description of the registered vehicle and such other statement of facts as may be determined by the Department.

2. The certificate of ~~ownership~~ *title* must contain upon the face thereof the date issued, the name and address of the registered owner and the owner or lienholder, if any, a description of the vehicle, any entries required by NRS 482.423 to 482.428, inclusive, a reading of the vehicle's odometer as provided to the Department by the person making the sale or transfer, the word "rebuilt" if it is a rebuilt vehicle ~~[-]~~ and such other statement of facts as may be determined by the Department. The reverse side of the certificate of ~~ownership~~ *title* must contain forms for notice to the Department of a transfer of the title or interest of the owner or lienholder and application for registration by the transferee. If a new certificate of ~~ownership~~ *title* is issued for a vehicle, it must contain the same information as the replaced certificate, except to the extent that the information has changed after the issuance of the replaced

certificate. Except as otherwise required by federal law, the certificate of ~~ownership~~ **title** of a vehicle which the Department knows to have been stolen must not contain any statement or other indication that the mileage specified in the certificate or registered on the odometer is anything other than the actual mileage traveled by the vehicle, in the absence of proof that the odometer of the vehicle has been disconnected, reset or altered.

**Sec. 10.** NRS 482.245 is hereby amended to read as follows:

482.245 1. The certificate of registration must contain upon the face thereof the date issued, the registration number assigned to the vehicle, the ~~legal~~ name and address of the registered owner, the county where the vehicle is to be based unless it is deemed to have no base, a description of the registered vehicle and such other statement of facts as may be determined by the Department.

2. The certificate of title must contain upon the face thereof the date issued, the name and address of the registered owner and the owner or lienholder, if any, a description of the vehicle, any entries required by NRS 482.423 to 482.428, inclusive, a reading of the vehicle's odometer as provided to the Department by the person making the sale or transfer, the word "rebuilt" if it is a rebuilt vehicle and such other statement of facts as may be determined by the Department. The reverse side of the certificate of title must contain forms for notice to the Department of a transfer of the title or interest of the owner or lienholder and application for registration by the transferee. If a new certificate of title is issued for a vehicle, it must contain the same information as the replaced certificate, except to the extent that the information has changed after the issuance of the replaced certificate. Except as otherwise required by federal law, the certificate of title of a vehicle which the Department knows to have been stolen must not contain any statement or other indication that the mileage specified in the certificate or registered on the odometer is anything other than the actual mileage traveled by the vehicle, in the absence of proof that the odometer of the vehicle has been disconnected, reset or altered.

**Sec. 11.** NRS 482.260 is hereby amended to read as follows:

482.260 1. When registering a vehicle, the Department and its agents or a registered dealer shall:

(a) Collect the fees for license plates and registration as provided for in this chapter.

(b) Collect the governmental services tax on the vehicle, as agent for the county where the applicant intends to base the vehicle for the period of registration, unless the vehicle is deemed to have no base.

(c) Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.

(d) Issue a certificate of registration.



(e) If the registration is performed by the Department, issue the regular license plate or plates.

(f) If the registration is performed by a registered dealer, provide information to the owner regarding the manner in which the regular license plate or plates will be made available to him.

2. Upon proof of ownership satisfactory to the Director, he shall cause to be issued a certificate of ~~ownership~~ *title* as provided in this chapter.

3. Every vehicle being registered for the first time in Nevada must be taxed for the purposes of the governmental services tax for a 12-month period.

4. The Department shall deduct and withhold 2 percent of the taxes collected pursuant to paragraph (c) of subsection 1 and remit the remainder to the Department of Taxation.

5. A registered dealer shall forward all fees and taxes collected for the registration of vehicles to the Department.

**Sec. 12.** NRS 482.272 is hereby amended to read as follows:

482.272 ~~1.~~ Each license plate for a motorcycle ~~shall contain five~~ *may contain up to six characters, including* numbers and ~~no~~ letters. Only one plate ~~shall~~ *may* be issued for a motorcycle.

~~2. Motorcycle license plates shall be issued in consecutive numerical order for statewide distribution.~~

~~3. In the event the Department exhausts the license plate code of subsection 1, the Department may substitute letters in combination with numbers to expand the code for motorcycle license plates.~~

**Sec. 13.** NRS 482.292 is hereby amended to read as follows:

482.292 As used in this section and NRS 482.293 and 482.294, 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~~ *title* pursuant to this chapter by financial institutions, new vehicle dealers and used vehicle dealers on behalf of their customers.

**Sec. 14.** NRS 482.293 is hereby amended to read as follows:

482.293 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 ~~H~~ and a 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 NRS 482.294 before a participant may submit a document by electronic means to the Department. Such ~~a~~ 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 NRS 482.294 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. 15.** NRS 482.294 is hereby amended to read as follows:

482.294 1. If the Department approves an application for a person to participate in a program established pursuant to NRS 482.293, 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 ~~or~~ **or a** 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. 16.** NRS 482.3255 is hereby amended to read as follows:

482.3255 Evidence of unfitness of an applicant or a licensee for purposes of denial or revocation of a license may consist of , but is not limited to:

1. Failure to discharge a lienholder on a vehicle within 30 days after it is traded to his dealership.

2. Being the former holder of ~~or~~ **or** being a partner, officer, director, owner or manager involved in management decisions of a dealership which held a license issued pursuant to NRS 482.325 which was revoked for cause and never reissued or was suspended upon terms which were never fulfilled.

3. Defrauding or attempting to defraud the State or a political subdivision of any taxes or fees in connection with the sale or transfer of a vehicle.

4. Forging the signature of the registered or legal owner of a vehicle on a certificate of title.

5. Purchasing, selling, otherwise disposing of or having in his possession any vehicle which he knows, or a reasonable person should know, is stolen or otherwise illegally appropriated.

6. Willfully failing to deliver to a purchaser or his lienholder a certificate of ~~ownership~~ title to a vehicle he has sold.

7. Refusing to allow an agent of the Department to inspect, during normal business hours, all books, records and files of the dealership which are maintained within the State.

8. Any fraud which includes , but is not limited to:

(a) Misrepresentation in any manner, whether intentional or grossly negligent, of a material fact.

(b) An intentional failure to disclose a material fact.

9. Willful failure to comply with any regulation adopted by the Department.

**Sec. 17.** 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~~ title 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~~ title 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~~ title issued for a vehicle, the form becomes a part of that certificate of ~~ownership.~~ title. 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~~ and shall pay the 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 governmental services tax on the vehicle. When the vehicle is resold, the purchaser shall apply for registration as provided in NRS 482.215 ~~and~~ and shall pay the 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}~~ *title* for the vehicle, executed as required by subsection 1, and any other documents necessary to obtain another certificate of ~~{ownership}~~ *title* 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}~~ *title* 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 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 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. 18.** NRS 482.415 is hereby amended to read as follows:

482.415 1. Whenever application is made to the Department for registration of a vehicle previously registered pursuant to this chapter and the applicant is unable to present the certificate of registration or ~~{ownership}~~ *certificate of title* previously issued for the vehicle because the certificate of registration or ~~{ownership}~~ *certificate of title* is lost, unlawfully detained by one in possession or otherwise not available, the Department may receive the application, investigate the circumstances of the case and require the filing of affidavits or other information. When the Department is satisfied that the applicant is entitled to *a new* ~~{certificates}~~ *certificate* of registration and ~~{ownership,}~~ *certificate of title*, it may

register the applicant's vehicle and issue new certificates and a new license plate or plates to the person or persons entitled thereto.

2. Whenever application is made to the Department for the registration of a motor vehicle of which the:

- (a) Ownership has been transferred;
  - (b) Certificate of ~~ownership~~ *title* is lost, unlawfully detained by one in possession or otherwise not available; and
  - (c) Model year is 9 years old or newer,
- the transferor of the motor vehicle may, ~~for the purpose of furnishing~~ *to furnish* any information required by the Department to carry out the provisions of NRS 484.60665, designate the transferee of the motor vehicle as his attorney in fact on a form for a power of attorney provided by the Department.

3. The Department shall provide the form described in subsection 2. The form must be:

- (a) Produced in a manner that ensures that the form may not be easily counterfeited; and
- (b) Substantially similar to the form set forth in Appendix E of Part 580 of Title 49 of the Code of Federal Regulations.

4. The Department may charge a fee not to exceed 50 cents for each form it provides.

**Sec. 19.** 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 ~~for certificate of ownership~~ previously issued for the vehicle.

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 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 the temporary placard, whichever occurs first, the buyer shall remove the temporary placard from the rear of the vehicle.

6. ~~For the purposes of establishing~~ *To establish* 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. Upon executing all documents necessary to complete the sale of the vehicle, the seller shall execute the dealer's or rebuilder's report of sale and furnish a copy of the report to the buyer not less than 10 days before the expiration of the temporary placard.

**Sec. 20.** 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 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 ~~for certificate of ownership~~ previously issued for the vehicle.

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 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 the temporary placard, whichever occurs first, the long-term lessee shall remove the temporary placard from the rear of the vehicle.

5. ~~For the purposes of establishing~~ *To establish* compliance with the period required by 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. Upon executing all documents necessary to complete the lease of the vehicle, the long-term lessor shall execute the long-term lessor's report of lease and furnish a copy of the report to the long-term lessee not less than 10 days before the expiration of the temporary placard.

**Sec. 21.** NRS 482.426 is hereby amended to read as follows:

482.426 When a used or rebuilt vehicle is sold in this state by a person who is not a dealer or rebuilder, the seller or buyer or both of them shall, within 10 days after the sale, submit to the Department:

- 1. If a certificate of ~~ownership~~ *title* has been issued in this state, the certificate properly endorsed.
- 2. If a certificate of title or other document of title has been issued by a public authority of another state, territory or country:
  - (a) The certificate or document properly endorsed; and
  - (b) A statement containing, if not included in the endorsed certificate or document, the description of the vehicle, including whether it is a rebuilt vehicle, the names and addresses of the buyer and seller, and the name and address of any person who takes or retains a purchase money security interest. Any such statement must be signed and acknowledged by the seller and the buyer.
- 3. If no document of title has been issued by any public authority, a statement containing all the information and signed and acknowledged in the manner required by paragraph (b) of subsection 2.

**Sec. 22.** NRS 482.427 is hereby amended to read as follows:

482.427 1. Upon receipt of the documents required respectively by NRS 482.423, 482.424 and 482.426 to be submitted



to it, and the payment of all required fees, the Department shall issue a certificate of ~~{ownership}~~ **title**.

2. If no security interest is created or exists in connection with the sale, the certificate of ~~{ownership}~~ **title** must be issued to the buyer.

3. If a security interest is created by the sale, the certificate of ~~{ownership}~~ **title** must be issued to the secured party or to his assignee.

**Sec. 23.** NRS 482.428 is hereby amended to read as follows:

482.428 1. Whenever a security interest is created in a motor vehicle, other than a security interest required to be entered pursuant to NRS 482.423, 482.424 or 482.426, the certificate of ~~{ownership}~~ **title** of the vehicle ~~{shall}~~ **must** be delivered to the Department with a statement signed by the debtor showing the date of the security agreement, the name and address of the debtor and the name and address of the secured party.

2. The Department shall issue and deliver to the secured party a certificate of ~~{ownership}~~ **title** with the name and address of the secured party noted thereon.

**Sec. 24.** NRS 482.431 is hereby amended to read as follows:

482.431 Within 15 days after the terms of the contract or security agreement have been fully performed, the seller or other secured party who holds a certificate of ~~{ownership}~~ **title** shall deliver the certificate of ~~{ownership}~~ **title** to the person or persons legally entitled thereto, with proper evidence of the termination or release of the security interest.

**Sec. 25.** NRS 482.436 is hereby amended to read as follows:

482.436 Any person is guilty of a gross misdemeanor who knowingly:

1. Makes any false entry on any certificate of origin or certificate of ~~{ownership}~~ **title**;

2. Furnishes false information to the Department concerning any security interest; or

3. Fails to submit the original of the dealer's or rebuilder's report of sale of a used or rebuilt vehicle to the Department within the time prescribed in subsection 3 of NRS 482.424.

**Sec. 26.** NRS 482.438 is hereby amended to read as follows:

482.438 1. It is unlawful for a dealer or any other person, with the intent to defraud, to obtain a duplicate certificate of ~~{ownership}~~ **title** for any vehicle in which he grants a security interest to secure a present or future debt, obligation or liability of any nature arising from a loan or other extension of credit made in connection with the financing of the inventory of the vehicles of the dealer, or to engage in any other similar practice commonly known as "flooring."

2. A person who violates the provisions of subsection 1 shall be punished in accordance with the provisions of NRS 205.380.

3. In addition to any penalty imposed pursuant to subsection 2, the court shall order the person to pay restitution.

**Sec. 27.** NRS 482.441 is hereby amended to read as follows:

482.441 The Department may identify trimobiles as such on certificates of ~~{ownership}~~ title and registration.

**Sec. 28.** NRS 482.465 is hereby amended to read as follows:

482.465 1. The Department shall rescind and cancel the registration of a vehicle whenever the person to whom the certificate of registration or license plates therefor have been issued makes or permits to be made any unlawful use of the certificate or plates or permits the use thereof by a person not entitled thereto.

2. The Department shall cancel a certificate of ~~{ownership}~~ title or certificate of registration and license plates which have been issued erroneously or improperly, or obtained illegally.

3. In addition to any other penalty set forth in this chapter and chapters 366 and 706 of NRS, the Department may revoke a certificate of ~~{ownership}~~ title or a certificate of registration and license plates for a vehicle with a declared gross weight in excess of 26,000 pounds if the Department determines that:

(a) The licensee of the vehicle has violated one or more of the provisions of this chapter or chapter 366 or 706 of NRS; and

(b) There is reasonable cause for the revocation.

4. Before revoking a certificate of ~~{ownership}~~ title or a certificate of registration and license plates pursuant to subsection 3, the Department must send a written notice by certified mail to the licensee at his last known address ordering him to appear before the Department at a time not less than 10 days after the mailing of the notice to show cause why the certificate of ~~{ownership}~~ title or the certificate of registration and license plates should not be revoked pursuant to this section.

5. Upon rescission, revocation or cancelation of the certificate of ~~{ownership}~~ title or of the certificate of registration and license plates, the affected certificate or certificate and plates must be returned to the Department upon receipt of notice of rescission, revocation or cancelation.

**Sec. 29.** NRS 482.470 is hereby amended to read as follows:

482.470 1. If any vehicle is dismantled, junked or rendered inoperative and unfit for further use in accordance with the original purpose for which it was constructed, the owner shall deliver to the Department any certificate of registration and certificate of ~~{ownership}~~ title issued by the Department or any other jurisdiction, unless the certificate of ~~{ownership}~~ title is required for the collection of any insurance or other indemnity for the loss of the vehicle, or for transfer in order to dispose of the vehicle.

2. Any other person taking possession of a vehicle described in subsection 1 shall immediately deliver to the Department any license plate or plates, certificate of registration or certificate of ~~{ownership}~~ title issued by the Department or any other jurisdiction, if he has acquired possession of any of these and unless the certificate of ~~{ownership}~~ title is required for a further transfer in the ultimate disposition of the vehicle.

3. The Department may issue a salvage title as provided in chapter 487 of NRS. The Department shall not charge a fee for the issuance of the salvage title.

4. The Department shall destroy any plate or plates, certificate of registration or certificate of ~~{ownership}~~ title that is returned in a manner described in subsections 1 and 2. The Department shall not issue a certificate of registration or certificate of ~~{ownership}~~ title for a vehicle with the same identification number as the dismantled, junked or inoperative vehicle if the vehicle was manufactured in the 5 years preceding the date on which it was dismantled, junked or otherwise rendered inoperative, unless the Department authorizes the restoration of the vehicle pursuant to subsection 2 of NRS 482.553.

**Sec. 30.** NRS 482.545 is hereby amended to read as follows:

482.545 It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit the operation of, upon a highway any motor vehicle, trailer or semitrailer which is not registered or which does not have attached thereto and displayed thereon the number of plate or plates assigned thereto by the Department for the current period of registration or calendar year, subject to the exemption allowed in NRS 482.316 to 482.3175, inclusive, 482.320 to 482.363, inclusive, 482.385 to 482.3965, inclusive, and 482.420.

2. To display, cause or permit to be displayed or to have in possession any certificate of registration, license plate, certificate of ~~{ownership}~~ title or other document of title knowing it to be fictitious or to have been canceled, revoked, suspended or altered.

3. To lend to or knowingly permit the use of by one not entitled thereto any registration card or plate issued to the person so lending or permitting the use thereof.

4. To fail or to refuse to surrender to the Department, upon demand, any registration card or plate which has been suspended, canceled or revoked as provided in this chapter.

5. To use a false or fictitious name or address in any application for the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in

an application. A violation of this subsection is a gross misdemeanor.

6. Knowingly to operate a vehicle which:

(a) Has an altered identification number or mark; or

(b) Contains a part which has an altered identification number or mark.

**Sec. 31.** NRS 482.555 is hereby amended to read as follows:

482.555 In addition to any other penalty provided by this chapter:

1. It is a gross misdemeanor for any person knowingly to falsify:

(a) A dealer's or rebuilder's report of sale, as described in NRS 482.423 and 482.424; or

(b) An application or document to obtain any:

(1) License;

(2) Permit; or

(3) Certificate of ~~ownership~~ title,

issued under the provisions of this chapter.

2. It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this section or other provision of this chapter or other law of this state declared to be a gross misdemeanor or a felony.

**Sec. 32.** NRS 483.290 is hereby amended to read as follows:

483.290 1. Every application for an instruction permit or for a driver's license must:

(a) Be made upon a form furnished by the Department.

(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

(c) Be accompanied by the required fee.

(d) State the ~~full~~ name, date of birth, sex and residence address of the applicant and briefly describe the applicant.

(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Every applicant must furnish proof of his age by displaying:

(a) If the applicant was born in the United States, a birth certificate issued by a state or the District of Columbia or other proof of the date of birth of the applicant, including, but not limited to, a driver's license issued by another state or the District of Columbia, or a baptismal certificate and other proof that is determined to be necessary and is acceptable to the Department; or

(b) If the applicant was born outside the United States, a Certificate of Citizenship, Certificate of Naturalization, Arrival-Departure Record, Alien Registration Receipt Card, United States Citizen Identification Card or Letter of Authorization issued by the Immigration and Naturalization Service of the United States Department of Justice or a Report of Birth Abroad of a *Citizen of the* United States ~~[Citizen-Child]~~ issued by the Department of State, a driver's license issued by another state or the District of Columbia or other proof acceptable to the Department other than a passport issued by a foreign government.

3. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

4. Every applicant who has been assigned a social security number must furnish proof of his social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, but not limited to, records of employment or federal income tax returns.

**Sec. 33.** NRS 483.340 is hereby amended to read as follows:

483.340 1. The Department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or class of vehicles the licensee may drive. The license must bear a unique number assigned to the licensee pursuant to NRS 483.345, the licensee's social security number, if he has one, unless he requests that it not appear on the license, the ~~[full]~~ name, date of birth, mailing address and a brief description of the licensee, and a space upon which the licensee shall write his usual signature in ink immediately upon receipt of the license. A license is not valid until it has been so signed by the licensee.

2. The Department may issue a driver's license for purposes of identification only for use by officers of local police and sheriffs' departments, agents of the Investigation Division of the Department of Public Safety while engaged in special undercover investigations relating to narcotics or prostitution or for other undercover investigations requiring the establishment of a fictitious identity, federal agents while engaged in undercover investigations, investigators employed by the Attorney General while engaged in undercover investigations and agents of the State Gaming Control Board while engaged in investigations pursuant to NRS 463.140. An application for such a license must be made through the head of the police or sheriff's department, the Chief of the Investigation Division of the Department of Public Safety, the director of the appropriate federal agency, the Attorney General or the Chairman of the State Gaming Control Board. Such a license is exempt from the

fees required by NRS 483.410. The Department, by regulation, shall provide for the cancellation of any such driver's license upon the completion of the special investigation for which it was issued.

3. Information pertaining to the issuance of a driver's license pursuant to subsection 2 is confidential.

4. It is unlawful for any person to use a driver's license issued pursuant to subsection 2 for any purpose other than the special investigation for which it was issued.

5. At the time of the issuance or renewal of the driver's license, the Department shall:

(a) Give the holder the opportunity to indicate on his driver's license that he wishes to be a donor of all or part of his body pursuant to NRS 451.500 to 451.590, inclusive, or that he refuses to make an anatomical gift of his body or part of his body;

(b) Give the holder the opportunity to indicate whether he wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; and

(c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registration as a donor with The Living Bank International or its successor organization.

6. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account.

7. The Department shall submit to The Living Bank International, or its successor organization, information from the records of the Department relating to persons who have drivers' licenses that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection.

**Sec. 34.** NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card must be made upon a form provided by the Department and include:

(a) The applicant's ~~full~~ name.

(b) His social security number, if any.

(c) His date of birth.

(d) His state of legal residence.

(e) His current address in this state, unless the applicant is on active duty in the military service of the United States.

(f) A statement from:

(1) A resident stating that he does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he does not hold a valid Nevada driver's license.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. At the time of applying for an identification card, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

4. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time he applies for an identification card pursuant to this section.

**Sec. 35.** NRS 486.081 is hereby amended to read as follows:

486.081 1. Every application for a motorcycle driver's license must be made upon a form furnished by the Department and must be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

2. Every application must:

(a) State the ~~full~~ name, date of birth, sex and residence address of the applicant;

(b) Briefly describe the applicant;

(c) State whether the applicant has previously been licensed as a driver, and, if so, when and by what state or country;

(d) State whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal; and

(e) Give such other information as the Department requires to determine the competency and eligibility of the applicant.

3. Every applicant shall furnish proof of his age by displaying:

(a) If he was born in the United States, a certified state-issued birth certificate, baptismal certificate, driver's license issued by another state or the District of Columbia or other proof acceptable to the Department; or

(b) If he was born outside the United States, a:

(1) Certificate of Citizenship, Certificate of Naturalization, Arrival-Departure Record, Alien Registration Receipt Card, United States Citizen Identification Card or Letter of Authorization issued by the Immigration and Naturalization Service of the Department of Justice;

(2) Report of Birth Abroad of a *Citizen of the* United States ~~{Citizen Child}~~ issued by the Department of State;

(3) Driver's license issued by another state or the District of Columbia; or

(4) Passport issued by the United States Government.



**Sec. 36.** NRS 487.100 is hereby amended to read as follows:

487.100 1. Except as otherwise provided in subsection 2, any automobile wrecker purchasing from any person other than a licensed operator of a salvage pool ~~{}~~ any vehicle subject to registration pursuant to the laws of this state shall forward to the Department the certificates of ~~{ownership}~~ *title* and registration last issued therefor.

2. The certificate of ownership last issued for a mobile home or commercial coach must be sent by the wrecker to the Manufactured Housing Division.

3. The state agency may issue to the licensee a salvage title containing a brief description of the vehicle, including, insofar as data may exist with respect to the vehicle, the make, type, serial number and motor number, or any other number of the vehicle. The state agency shall not charge a fee for the issuance of the salvage title.

**Sec. 37.** NRS 487.110 is hereby amended to read as follows:

487.110 1. Except as otherwise provided in subsection 2, whenever a vehicle subject to registration is sold as salvage:

(a) As a result of a total loss insurance settlement, the insurance company or its authorized agent shall forward the endorsed ~~{ownership}~~ certificate *of title* or other evidence of title to the state agency within 30 days after receipt thereof; or

(b) Because the owner determines that the vehicle is a total loss vehicle, the owner shall forward the ~~{ownership}~~ certificate *of title* or other evidence of title to the state agency within 120 days after the vehicle is damaged.

2. The insurance company or its authorized agent may sell a vehicle for which a total loss settlement has been made with the properly endorsed ~~{ownership}~~ certificate *of title* or other evidence of title if the total loss settlement resulted from the theft of the vehicle and the vehicle, when recovered, was not damaged to the extent that it was required to be rebuilt. An owner who has determined that a vehicle is a total loss vehicle may sell the vehicle with the properly endorsed ~~{ownership}~~ certificate *of title* or other evidence of title to a salvage pool, automobile auction, rebuilder, automobile wrecker or a new or used motor vehicle dealer.

3. Upon the sale of the salvage vehicle, the insurance company, salvage pool, automobile auction, leasing company or financial institution which sells the salvage vehicle shall issue a bill of sale of salvage to the purchaser on a form to be prescribed and supplied by the state agency. The state agency shall accept the bill of sale of salvage in lieu of the ~~{ownership}~~ certificate *of title* or other evidence of title when accompanied by an appropriate application or other documents and fees.



4. When the salvage vehicle is rebuilt and to be restored to operation, the vehicle may not be licensed for operation or the ownership thereof transferred until there is submitted to the state agency with the prescribed bill of sale of salvage an appropriate application, other documents and fees required, and a certificate of inspection signed by an employee of the state agency attesting to its mechanical fitness and safety.

5. When a total loss insurance settlement between the insurance company and its insured results in the retention of the salvage vehicle by the insured, the insurance company or its authorized agent shall, within 30 days after the date of settlement, notify the state agency of the retention by its insured upon a form to be supplied by the state agency.

**Sec. 38.** NRS 487.120 is hereby amended to read as follows:

487.120 1. If the applicant for a salvage title is unable to furnish the certificates of ~~{ownership}~~ *title* and registration last issued for the vehicle or a bill of sale of salvage, the state agency may accept the application, examine the circumstances of the case and require the filing of suitable affidavits or other information or documents. If satisfied that the applicant is entitled to a salvage title, the state agency may issue the salvage title.

2. No duplicate certificate of ~~{ownership}~~ *title* or registration may be issued when a salvage title is applied for, and no fees are required for the affidavits of any stolen, lost or damaged certificate, or duplicates thereof, unless the vehicle is subsequently registered.

**Sec. 39.** NRS 487.160 is hereby amended to read as follows:

487.160 1. The Department, after notice and hearing, may suspend, revoke or refuse to renew a license of an automobile wrecker upon determining that the automobile wrecker:

- (a) Is not lawfully entitled thereto;
- (b) Has made, or knowingly or negligently permitted, any illegal use of that license;
- (c) Has failed to return a salvage title to the state agency when and as required of him by NRS 487.045 to 487.190, inclusive; or
- (d) Has failed to surrender to the state agency certificates of ~~{ownership}~~ *title* for vehicles before beginning to dismantle or wreck the vehicles.

2. The applicant or licensee may, within 30 days after receipt of the notice of refusal, suspension or revocation, petition the Department in writing for a hearing.

3. Hearings under this section and appeals therefrom must be conducted in the manner prescribed in NRS 482.353 and 482.354.

4. The Department may suspend, revoke or refuse to renew a license of an automobile wrecker, or deny a license to an applicant therefor, if the licensee or applicant:

(a) Does not have or maintain an established place of business in this state.

(b) Made a material misstatement in any application.

(c) Willfully fails to comply with any provision of NRS 487.045 to 487.190, inclusive.

(d) Fails to furnish and keep in force any bond required by NRS ~~[487.050]~~ 487.045 to 487.190, inclusive.

(e) Fails to discharge any final judgment entered against him when the judgment arises out of any misrepresentation of a vehicle, trailer or semitrailer.

(f) Fails to maintain any license or bond required by a political subdivision of this state.

(g) Has been convicted of a felony.

(h) Has been convicted of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter.

(i) Fails or refuses to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 7.

5. If an application for a license as an automobile wrecker is denied, the applicant may not submit another application for at least 6 months after the date of the denial.

6. The Department may refuse to review a subsequent application for licensing submitted by any person who violates any provision of this chapter.

7. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy any financial obligation related to the business of dismantling, scrapping, processing or wrecking of vehicles, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS ~~[487.050]~~ 487.045 to 487.200, inclusive, or to determine the suitability of an applicant or a licensee for such licensure.

8. For the purposes of this section, failure to adhere to the directives of the state agency advising the licensee of his noncompliance with any provision of NRS 487.045 to 487.190, inclusive, or regulations of the state agency, within 10 days after the receipt of those directives, is prima facie evidence of willful failure to comply.

**Sec. 40.** NRS 487.185 is hereby amended to read as follows:

487.185 1. A person shall not remove a total loss vehicle from this state ~~[for the purpose of selling]~~ *to sell* that vehicle unless the ~~[ownership]~~ certificate *of title* or other evidence of title has been forwarded to the state agency pursuant to paragraph (b) of subsection 1 of NRS 487.110.

2. A person who violates the provisions of this section:

(a) If the value of the vehicle removed from this state is less than \$250, is guilty of a misdemeanor.

(b) If the value of the vehicle removed from this state is \$250 or more, is guilty of a gross misdemeanor.

**Sec. 41.** NRS 487.250 is hereby amended to read as follows:

487.250 1. The state agency or political subdivision shall, within 48 hours after the appraisal, notify the head of the state agency of the removal of the vehicle. The notice must contain:

(a) A description of the vehicle.

(b) The appraised value of the vehicle.

(c) A statement as to whether the vehicle will be junked, dismantled or otherwise disposed of.

2. The person who removed the vehicle must notify the registered owner and any person having a security interest in the vehicle by registered or certified mail that the vehicle has been removed and will be junked or dismantled or otherwise disposed of unless the registered owner or the person having a security interest in the vehicle responds and pays the costs of removal.

3. Failure to reclaim within 15 days after notification a vehicle appraised at \$500 or less constitutes a waiver of interest in the vehicle by any person having an interest in the vehicle.

4. If all recorded interests in a vehicle appraised at \$500 or less are waived, either as provided in subsection 3 or by written disclaimer by any person having an interest in the vehicle, the state agency shall issue a salvage title to the automobile wrecker who towed the vehicle or to whom the vehicle may have been delivered, or a certificate of ~~[ownership]~~ *title* to the garage owner if he elects to retain the vehicle and the vehicle is equipped as required by chapter 484 of NRS.

**Sec. 42.** NRS 487.270 is hereby amended to read as follows:

487.270 1. Whenever a vehicle has been removed to a garage or other place as provided by NRS 487.230, the owner of the garage or the automobile wrecker who towed the vehicle has a lien on the vehicle for the costs of towing and storing for a period not exceeding 90 days.

2. If the vehicle is appraised at a value of \$500 or less and is not reclaimed within the period prescribed in NRS 487.250, the owner of the garage or automobile wrecker may satisfy his lien by

retaining the vehicle and obtaining a certificate of ~~ownership~~ title thereto or a salvage title as provided in NRS 487.250.

3. If the vehicle is appraised at a value of more than \$500 and is not reclaimed within 45 days, the owner of the garage or automobile wrecker may satisfy his lien, in accordance with the provisions of NRS 108.265 to 108.360, inclusive.

**Sec. 43.** NRS 487.480 is hereby amended to read as follows:

487.480 1. Before an operator of a salvage pool sells any vehicle subject to registration pursuant to the laws of this state, he must have in his possession the certificate of ~~ownership~~ title or a bill of sale of salvage for that vehicle. He shall, within 10 days after completion of the transaction, forward the certificate of ~~ownership~~ title or bill of sale of salvage to the Department. The Department shall not issue a certificate of registration or certificate of ~~ownership~~ title for a vehicle with the same identification number if the vehicle was manufactured in the 5 years preceding the date on which the operator forwards the certificates to the Department, unless the Department authorizes the restoration of the vehicle pursuant to subsection 2 of NRS 482.553.

2. Upon sale of the vehicle, the operator of the salvage pool shall provide a bill of sale of salvage to the licensed automobile wrecker, dealer of new or used motor vehicles or rebuilder on a form prescribed and supplied by the Department. The Department shall accept the bill of sale of salvage in lieu of the certificate of ~~ownership~~ title or other evidence of title from the:

(a) Automobile wrecker, if the bill of sale of salvage is accompanied by an appropriate application for a salvage title; or

(b) Dealer of new or used motor vehicles or rebuilder when he licenses the vehicle for operation or transfers ownership of it, if the bill of sale of salvage is accompanied by an appropriate application, all other required documents and fees, and a certificate of inspection signed by an employee of the Department attesting to the mechanical fitness and safety of the vehicle.

3. The Department may issue to:

(a) The licensed automobile wrecker;

(b) A licensed operator of a salvage pool;

(c) A dealer of new or used motor vehicles who is licensed in another state or foreign country and is registered with a salvage pool; or

(d) An automobile wrecker or dismantler who is licensed in another state or foreign country and is registered with a salvage pool,

a salvage title that contains a brief description of the vehicle, including, insofar as data may exist with respect to the vehicle, the make, type, serial number and motor number, or any other number of the vehicle. Except as otherwise provided in this subsection, the

Department shall charge and collect a fee of \$10 for the issuance of a salvage title pursuant to this subsection. The Department shall not charge such a fee for the issuance of a salvage title to an automobile wrecker licensed in this state. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages. Possession of a salvage title does not entitle a person to dismantle, scrap, process or wreck any vehicle in this state unless the person holds a license issued pursuant to NRS 487.050.

**Sec. 44.** NRS 125B.220 is hereby amended to read as follows:

125B.220 1. Upon deposit of any asset pursuant to NRS 125B.210 which is not money or is not readily convertible into money, the court may, not fewer than 25 days after serving the obligor-parent with written notice and providing an opportunity for hearing, order the sale of the asset and deposit the proceeds of the sale with the trustee designated by the court to receive the assets. The sale of assets must be conducted in accordance with the provisions set forth in NRS 21.130 to 21.260, inclusive, governing the sale of property under execution.

2. When an asset ordered to be deposited is real property, the order must be certified in accordance with NRS 17.150 and recorded with the county recorder. The deposited real property and the rights, benefits and liabilities attached to that property continue in the possession of the legal owner until it becomes subject to a use or sale of assets pursuant to this section or NRS 125B.210. The legal owner may not transfer, encumber, hypothecate, dispose of or realize profits from the property unless approved by the court.

3. When an asset ordered to be deposited is personal property or fixtures including goods, documents, instruments, general intangibles, chattel paper or accounts, the trustee shall file a financing statement in accordance with NRS 104.9501, 104.9502 and 104.9516.

4. When an asset ordered to be deposited is a vehicle registered with the Department of Motor Vehicles, the trustee shall deliver to the Department the certificate of ~~ownership~~ **title** of the vehicle in accordance with NRS 482.428.

**Sec. 45.** NRS 125B.280 is hereby amended to read as follows:

125B.280 1. The trustee designated by the court to receive assets pursuant to NRS 125B.210 shall return any assets to the obligor-parent when:

(a) The obligor-parent has given the trustee notice to return assets;

(b) All payments in arrears have been paid in full; and

(c) The obligor-parent has made, in a timely manner, all payments of support ordered for the 12 months immediately preceding the date notice was given to the trustee.

2. If the deposited assets include real property, upon the satisfaction of the requirements of subsection 1, the trustee shall prepare a release and record it in the office of the county recorder.

3. If the deposited assets include personal property or fixtures including goods, documents, instruments, general intangibles, chattel paper or accounts, the trustee shall, upon the satisfaction of the requirements of subsection 1, prepare a termination statement and file it in accordance with NRS 104.9513.

4. If the deposited assets include a vehicle registered with the Department of Motor Vehicles, the trustee shall, upon the satisfaction of the requirements of subsection 1, deliver the certificate of ~~ownership~~ **title** to the obligor-parent in accordance with NRS 482.431.

**Sec. 46.** NRS 146.080 is hereby amended to read as follows:

146.080 1. If a decedent leaves no real property, nor interest therein, nor mortgage or lien thereon, in this state, and the gross value of the decedent's property in this state, over and above any amounts due to the decedent for services in the Armed Forces of the United States, does not exceed \$20,000, a person who has a right to succeed to the property of the decedent pursuant to the laws of succession for a decedent who died intestate or pursuant to the valid will of a decedent who died testate, on behalf of all persons entitled to succeed to the property claimed, or the State Welfare Administrator or public administrator on behalf of the State or others entitled to the property, may, 40 days after the death of the decedent, without procuring letters of administration or awaiting the probate of the will, collect any money due the decedent, receive the property of the decedent, and have any evidences of interest, indebtedness or right transferred to the claimant upon furnishing the person, representative, corporation, officer or body owing the money, having custody of the property or acting as registrar or transfer agent of the evidences of interest, indebtedness or right, with an affidavit showing the right of the affiant or affiants to receive the money or property or to have the evidence transferred.

2. An affidavit made pursuant to this section must state:

(a) The affiant's name and address, and that the affiant is entitled by law to succeed to the property claimed;

(b) The date and place of death of the decedent;

(c) That the gross value of the decedent's property in this state, except amounts due ~~to~~ the decedent for services in the Armed Forces of the United States, does not exceed \$20,000, and that the property does not include any real property nor interest therein, nor mortgage or lien thereon;

(d) That at least 40 days have elapsed since the death of the decedent, as shown in a certified copy of the certificate of death of the decedent attached to the affidavit;

(e) That no petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

(f) That all debts of the decedent, including funeral and burial expenses, and money owed to the Department of Human Resources as a result of the payment of benefits for Medicaid, have been paid or provided for;

(g) A description of the personal property and the portion claimed;

(h) That the affiant has given written notice, by personal service or by certified mail, identifying the affiant's claim and describing the property claimed, to every person whose right to succeed to the decedent's property is equal or superior to that of the affiant, and that at least 14 days have elapsed since the notice was served or mailed;

(i) That the affiant is personally entitled, or the Department of Human Resources is entitled, to full payment or delivery of the property claimed or is entitled to payment or delivery on behalf of and with the written authority of all other successors who have an interest in the property; and

(j) That the affiant acknowledges an understanding that filing a false affidavit constitutes a felony in this state.

3. If the affiant:

(a) Submits an affidavit which does not meet the requirements of subsection 2 or which contains statements which are not entirely true, any money or property the affiant receives is subject to all debts of the decedent.

(b) Fails to give notice to other successors as required by subsection 2, any money or property the affiant receives is held by the affiant in trust for all other successors who have an interest in the property.

4. A person who receives an affidavit containing the information required by subsection 2 is entitled to rely upon that information, and if the person relies in good faith, the person is immune from civil liability for actions based on that reliance.

5. Upon receiving proof of the death of the decedent and an affidavit containing the information required by this section:

(a) A transfer agent of any security shall change the registered ownership of the security claimed from the decedent to the person claiming to succeed to ownership of that security.

(b) A governmental agency required to issue certificates of *title*, ownership or registration to personal property shall issue a new certificate of *title*, ownership or registration to the person claiming to succeed to ownership of the property.



6. If any property of the estate not exceeding \$20,000 is located in a state which requires an order of a court for the transfer of the property, or if the estate consists of stocks or bonds which must be transferred by an agent outside this state, any person qualified pursuant to the provisions of subsection 1 to have the stocks or bonds or other property transferred may do so by obtaining a court order directing the transfer. The person desiring the transfer must file a petition, which may be ex parte, containing:

- (a) A specific description of all the property of the decedent.
- (b) A list of all the liens and mortgages of record at the date of the decedent's death.
- (c) An estimate of the value of the property of the decedent.
- (d) The names, ages of any minors ~~and~~ and residences of the decedent's heirs and devisees.
- (e) A request for the court to issue an order directing the transfer of the stocks or bonds or other property if the court finds the gross value of the estate does not exceed \$20,000.
- (f) An attached copy of the executed affidavit made pursuant to subsection 2.

If the court finds that the gross value of the estate does not exceed \$20,000 and the person requesting the transfer is entitled to it, the court may enter an order directing the transfer.

**Sec. 47.** NRS 179.1185 is hereby amended to read as follows:

179.1185 If a vehicle or other conveyance is forfeited of a kind which is subject to the provisions of title 43 of NRS governing certificates of ~~ownership,~~ *title*, the agency charged by law with responsibility for issuing certificates of ~~ownership~~ *title* for conveyances of the kind shall issue a certificate of ~~ownership~~ *title* to:

- 1. The governing body or the agency to whom the title was awarded by the court if the conveyance is retained for official use; or
- 2. The purchaser if the conveyance is sold by the governing body or the plaintiff.

**Sec. 48.** NRS 253.0403 is hereby amended to read as follows:

253.0403 1. When the gross value of a decedent's property situated in this state does not exceed \$5,000, a public administrator may, without procuring letters of administration, administer the estate of that person upon filing with the court an affidavit of his right to do so.

2. The affidavit must provide:

- (a) The public administrator's name and address, and his attestation that he is entitled by law to administer the estate;
- (b) The decedent's place of residence at the time of his death;
- (c) That the gross value of the decedent's property in this state does not exceed \$5,000;



(d) That at least 40 days have elapsed since the death of the decedent;

(e) That no application or petition for the appointment of a personal representative is pending or has been granted in this state;

(f) A description of the personal property of the decedent;

(g) Whether there are any heirs or next of kin known to the affiant, and if known, the name and address of each such person;

(h) If heirs or next of kin are known to the affiant, a description of the method of service he used to provide to each of them notice of the affidavit and that at least 10 days have elapsed since the notice was provided;

(i) That all debts of the decedent, including funeral and burial expenses, have been paid or provided for; and

(j) The name of each person to whom the affiant intends to distribute the decedent's property.

3. Before filing the affidavit with the court, the public administrator shall take reasonable steps to ascertain whether any of the decedent's heirs or next of kin exist. If the administrator determines that heirs or next of kin exist, he shall serve each of them with a copy of the affidavit. Service must be made personally or by certified mail.

4. If the affiant:

(a) Submits an affidavit which does not meet the requirements of subsection 2 or which contains statements which are not entirely true, any money or property he receives or distributes is subject to all debts of the decedent, based on the priority for payment of debts and charges specified in NRS 150.220.

(b) Fails to give notice to heirs or next of kin as required by subsection 3, any money or property he holds or distributes to others shall be deemed to be held in trust for those heirs and next of kin who did not receive notice and have an interest in the property.

5. A person who receives an affidavit containing the information required by subsection 2 is entitled to rely upon such information, and if he relies in good faith, he is immune from civil liability for actions based on that reliance.

6. Upon receiving proof of the death of the decedent, an affidavit containing the information required by this section and the written approval of the public administrator to do so:

(a) A transfer agent of any security shall change the registered ownership of the security claimed from the decedent to the person claiming to succeed to ownership of that security.

(b) A governmental agency required to issue certificates of *title*, ownership or registration to personal property shall issue a new certificate of *title*, ownership or registration to the person claiming to succeed to ownership of the property.

**Sec. 49.** NRS 706.616 is hereby amended to read as follows:

706.616 1. If the ownership of a vehicle subject to the lien provided for by NRS 706.601 is transferred, whether by operation of law or otherwise, no certificate of registration or certificate of ~~{ownership}~~ *title* with respect to such vehicle ~~{shall}~~ *may* be issued by the Department to the transferee or person otherwise entitled thereto until the Department has issued a certificate that such lien has been removed.

2. No license issued under chapter 706 of NRS with respect to a vehicle which becomes subject to the lien provided for by NRS 706.601 ~~{shall}~~ *may* be transferred until the Department has issued a certificate that ~~{such}~~ *the* lien has been removed.

**Sec. 50.** 1. This section and sections 2, 4, 5, 8, 9, 11, 13 to 31, inclusive, and 36 to 49, inclusive, of this act become effective on July 1, 2003.

2. Section 9 of this act expires by limitation on September 30, 2003.

3. Sections 1, 3, 6, 7, 10, 12 and 32 to 35, inclusive, of this act become effective on October 1, 2003.