

ASSEMBLY BILL NO. 434—ASSEMBLYMEN ANGLE, GUSTAVSON,
KNECHT, ANDONOV, BROWN, CHRISTENSEN, GOICOECHEA,
HARDY AND SHERER

MARCH 17, 2003

Referred to Committee on Transportation

SUMMARY—Requires Department of Motor Vehicles to authorize
new vehicle dealers to issue certificates of
registration, license plates and decals.
(BDR 43-1175)

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

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

AN ACT relating to motor vehicle dealers; requiring the Department
of Motor Vehicles to authorize new vehicle dealers to
issue certificates of registration, license plates and decals
for new vehicles sold by the new vehicle dealers;
requiring the Department to adopt certain regulations;
requiring the Department to waive certain requirements
concerning the signatures of natural persons under certain
circumstances; and providing other matters properly
relating thereto.

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

- 1 **Section 1.** NRS 482.1015 is hereby amended to read as
2 follows:
3 482.1015 “Registered dealer” means a new vehicle dealer who
4 is authorized to issue certificates of registration , *license plates and*
5 *decals* pursuant to NRS 482.216.
6 **Sec. 2.** NRS 482.216 is hereby amended to read as follows:
7 482.216 1. Upon the request of a new vehicle dealer, the
8 Department ~~may~~ *shall* authorize the new vehicle dealer to:



- 1 (a) Accept applications for the registration of the new motor
2 vehicles he sells and the related fees and taxes;
- 3 (b) Issue certificates of registration, *license plates and decals* to
4 applicants who satisfy the requirements of this chapter; and
- 5 (c) Accept applications for the transfer of registration pursuant
6 to NRS 482.399 if the applicant purchased from the new vehicle
7 dealer a new vehicle to which the registration is to be transferred.
- 8 2. A new vehicle dealer who is authorized to issue certificates
9 of registration, *license plates and decals* pursuant to subsection 1
10 shall:
- 11 (a) Transmit the applications he receives to the Department
12 within the period prescribed by the Department;
- 13 (b) Transmit the fees he collects from the applicants and
14 properly account for them within the period prescribed by the
15 Department;
- 16 (c) Comply with the regulations adopted pursuant to subsection
17 4; and
- 18 (d) Bear any cost of equipment which is necessary to issue
19 certificates of registration, *license plates and decals*, including any
20 computer hardware or software.
- 21 3. A new vehicle dealer who is authorized to issue certificates
22 of registration, *license plates and decals* pursuant to subsection 1
23 shall not:
- 24 (a) Charge any additional fee for the performance of those
25 services;
- 26 (b) Receive compensation from the Department for the
27 performance of those services;
- 28 (c) Accept applications for the renewal of registration of a motor
29 vehicle; or
- 30 (d) Accept an application for the registration of a motor vehicle
31 if the applicant wishes to:
- 32 (1) Obtain special license plates pursuant to NRS 482.3667
33 to 482.3825, inclusive; or
- 34 (2) Claim the exemption from the governmental services tax
35 provided pursuant to NRS 361.1565 to veterans and their relations.
- 36 4. The Director shall adopt such regulations as are necessary to
37 carry out the provisions of this section. The regulations adopted
38 pursuant to this subsection must provide for:
- 39 (a) The ~~expedient and~~ secure issuance of license plates and
40 decals by ~~the Department;~~ *new vehicle dealers who are*
41 *authorized to issue certificates of registration, license plates and*
42 *decals pursuant to subsection 1;* and
- 43 (b) The withdrawal of the authority granted to a new vehicle
44 dealer pursuant to subsection 1 if that dealer fails to comply with the
45 regulations adopted by the Department.



1 **Sec. 3.** NRS 482.260 is hereby amended to read as follows:
2 482.260 1. When registering a vehicle, the Department and
3 its agents or a registered dealer shall:
4 (a) Collect the fees for license plates and registration as
5 provided for in this chapter.
6 (b) Collect the governmental services tax on the vehicle, as
7 agent for the county where the applicant intends to base the vehicle
8 for the period of registration, unless the vehicle is deemed to have
9 no base.
10 (c) Collect the applicable taxes imposed pursuant to chapters
11 372, 374, 377 and 377A of NRS.
12 (d) Issue a certificate of registration.
13 (e) ~~If the registration is performed by the Department, issue~~
14 **Issue** the regular license plate or plates.
15 ~~[(f) If the registration is performed by a registered dealer,~~
16 ~~provide information to the owner regarding the manner in which the~~
17 ~~regular license plate or plates will be made available to him.]~~
18 2. Upon proof of ownership satisfactory to the Director, he
19 shall cause to be issued a certificate of ownership as provided in this
20 chapter.
21 3. Every vehicle being registered for the first time in Nevada
22 must be taxed for the purposes of the governmental services tax for
23 a 12-month period.
24 4. The Department shall deduct and withhold 2 percent of the
25 taxes collected pursuant to paragraph (c) of subsection 1 and remit
26 the remainder to the Department of Taxation.
27 5. A registered dealer shall forward all fees and taxes collected
28 for the registration of vehicles to the Department.
29 **Sec. 4.** NRS 482.294 is hereby amended to read as follows:
30 482.294 1. If the Department approves an application for a
31 person to participate in a program established pursuant to NRS
32 482.293, that participant may submit, by electronic means, a
33 document that is required to be submitted pursuant to this chapter
34 for the issuance or renewal of a certificate of registration, certificate
35 of ownership or certificate of title.
36 2. If the signature of a natural person is required pursuant to
37 this chapter on a document that is submitted by electronic means,
38 the Department ~~may~~ **shall** waive that requirement if the participant
39 who submitted the document on behalf of that person complies with
40 all requirements of this program.
41 3. Notwithstanding any other provision of law to the contrary,
42 a document that is submitted by electronic means pursuant to
43 subsection 1, if accepted by the Department, shall be deemed an
44 original document in administrative proceedings, quasi-judicial
45 proceedings and judicial proceedings.



1 **Sec. 5.** NRS 482.399 is hereby amended to read as follows:
2 482.399 1. Upon the transfer of the ownership of or interest
3 in any vehicle by any holder of a valid registration, or upon
4 destruction of the vehicle, the registration expires.
5 2. The holder of the original registration may transfer the
6 registration to another vehicle to be registered by him and use the
7 same license plate or plates thereon, if the license plate or plates are
8 appropriate for the second vehicle, upon filing an application for
9 transfer of registration and upon paying the transfer registration fee
10 and the excess, if any, of the registration fee and governmental
11 services tax on the vehicle to which the registration is transferred
12 over the total registration fee and governmental services tax paid on
13 all vehicles from which he is transferring his ownership or interest.
14 Except as otherwise provided in NRS 482.294, an application for
15 transfer of registration must be made in person, if practicable, to any
16 office or agent of the Department or to a registered dealer, and the
17 license plate or plates may not be used upon a second vehicle until
18 registration of that vehicle is complete. In computing the
19 governmental services tax, the Department, its agent or the
20 registered dealer shall credit the portion of the tax paid on the first
21 vehicle attributable to the remainder of the current registration
22 period or calendar year on a pro rata monthly basis against the tax
23 due on the second vehicle or on any other vehicle of which the
24 person is the registered owner. If any person transfers his ownership
25 or interest in two or more vehicles, the Department or the registered
26 dealer shall credit the portion of the tax paid on all of the vehicles
27 attributable to the remainder of the current registration period or
28 calendar year on a pro rata monthly basis against the tax due on the
29 vehicle to which the registration is transferred or on any other
30 vehicle of which the person is the registered owner. The certificates
31 of registration and unused license plates of the vehicles from which
32 a person transfers his ownership or interest must be submitted
33 before credit is given against the tax due on the vehicle to which the
34 registration is transferred or on any other vehicle of which the
35 person is the registered owner.
36 3. In computing the registration fee, the Department or its
37 agent or the registered dealer shall credit the portion of the
38 registration fee paid on each vehicle attributable to the remainder of
39 the current calendar year or registration period on a pro rata basis
40 against the registration fee due on the vehicle to which registration
41 is transferred. If the amount owed on the registration fee or
42 governmental services tax on that vehicle is less than the credit on
43 the total registration fee or governmental services tax paid on all
44 vehicles from which a person transfers his ownership or interest, the
45 Department shall issue to the person a refund in an amount equal to



1 the difference between the amount owed on the registration fee or
2 governmental services tax on that vehicle and the credit on the total
3 registration fee or governmental services tax paid on all vehicles
4 from which a person transfers his ownership or interest.

5 4. If the license plate or plates are not appropriate for the
6 second vehicle, the plate or plates must be surrendered to the
7 Department or registered dealer and an appropriate plate or plates
8 must be issued by the Department ~~H~~ *or registered dealer*. The
9 Department shall not reissue the surrendered plate or plates until the
10 next succeeding licensing period.

11 5. If application for transfer of registration is not made within
12 60 days after the destruction or transfer of ownership of or interest
13 in any vehicle, the license plate or plates must be surrendered to the
14 Department on or before the 60th day for cancellation of the
15 registration.

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

22 **Sec. 6.** This act becomes effective on July 1, 2003.

