

Senate Bill No. 405–Committee on Transportation

CHAPTER.....

AN ACT relating to motor vehicles; allowing certain owners of fleets of motor vehicles to apply for participation in the program allowing the electronic submission and storage of certain documents relating to the registration and ownership of motor vehicles; and providing other matters properly relating thereto.

WHEREAS, For some time, the Nevada Legislature has been working with the Department of Motor Vehicles to simplify and make more streamlined the process by which residents and businesses of this state are able to register and title their motor vehicles; and

WHEREAS, The current process for registering and titling multiple motor vehicles is a time-consuming and onerous process for persons who own fleets composed of numerous motor vehicles; and

WHEREAS, The Nevada Legislature has already enacted legislation allowing the Department of Motor Vehicles to establish a program pursuant to which financial institutions, new vehicle dealers and used vehicle dealers may be eligible to, on behalf of their customers, submit to the Department by electronic means certain documents relating to the registration and ownership of motor vehicles; and

WHEREAS, The study conducted during the 2001-2002 legislative interim on matters relating to competition between local governments and private enterprises concluded that it would be advisable to enact legislation facilitating the electronic submission of documents relating to the registration and ownership of motor vehicles by owners of fleets of motor vehicles; now, therefore,

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

**Section 1.** 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, pursuant to this chapter. ~~{by financial institutions, new vehicle dealers and used vehicle dealers on behalf of their customers.}~~

**Sec. 2.** 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 allow only the following persons to apply for participation in the program:*

*(1) Financial institutions, new vehicle dealers and used vehicle dealers, for the purpose of submitting documents by electronic means to the Department on behalf of their customers.*

*(2) Owners of fleets composed of 10 or more vehicles.*

(c) The Department shall adopt regulations to carry out the program.

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

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

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

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

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

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

(f) The contents of a written agreement that must be on file with the Department ~~[pursuant to subsection 2 of NRS 482.294]~~ before a participant may submit a document by electronic means to the Department. Such written agreement must include, without limitation:

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

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

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

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

(g) The conditions under which the Department may revoke the approval of a person to participate in the program, including, without limitation, failure to comply with this section and 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. 3.** 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, 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 :

*(a) In the case of a participant who is a financial institution, new vehicle dealer or used vehicle dealer,* if the participant who submitted the document on behalf of that person complies with all requirements of this program.

*(b) In the case of a participant who is an owner of a fleet composed of 10 or more vehicles, if the participant 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.