

SENATE BILL NO. 242—SENATOR HARDY

MARCH 21, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Requires entities that register motor vehicles to perform certain inquiries to determine if vehicle is stolen. (BDR 43-350)

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 vehicles; requiring entities that register motor vehicles to perform certain inquiries at the time a vehicle is initially registered to determine if the vehicle is stolen; providing for the notification of appropriate authorities if a vehicle is determined to be stolen; 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 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1. *Except as otherwise provided in subsection 2, when application is made for the initial registration of a vehicle in this State, the registering authority shall, to determine whether the vehicle is stolen, compare the serial or vehicle identification number of the vehicle against:***

***(a) The records of the Department;***

***(b) The records of the National Crime Information Center; and***

***(c) Such other databases, indexes and records, whether belonging to the Department or another agency, as the Director may prescribe.***

**2. *If a registering authority other than the Department does not have access to, or is otherwise unable to access in a***



1 *timely manner, the databases, indexes or records described in*  
2 *subsection 1:*

3 *(a) The registering authority shall transmit to the Department*  
4 *the serial or vehicle identification number of the applicable*  
5 *vehicle;*

6 *(b) The Department shall perform the comparison described in*  
7 *subsection 1; and*

8 *(c) The Department shall notify the registering authority of the*  
9 *result of the comparison.*

10 *3. Except as otherwise provided in this subsection, a vehicle*  
11 *must not be registered until the comparison required by subsection*  
12 *1 or 2 has been performed. The Director may, by regulation,*  
13 *provide for exceptions to the provisions of this subsection to*  
14 *address exigent circumstances, including, without limitation,*  
15 *technological failures that prevent the comparison required by*  
16 *subsection 1 or 2 from being performed on a timely basis.*

17 *4. If a registering authority determines pursuant to*  
18 *subsection 1 or is notified pursuant to subsection 2 that a vehicle*  
19 *is stolen, the registering authority shall:*

20 *(a) Register that vehicle, but shall cause to be placed in the*  
21 *records pertaining to that vehicle an entry which informs a law*  
22 *enforcement officer who stops the vehicle that the vehicle is*  
23 *stolen;*

24 *(b) Notify the Department that the vehicle is stolen, if the*  
25 *registering authority performed the comparison pursuant to*  
26 *subsection 1 and is a registering authority other than the*  
27 *Department; and*

28 *(c) Notify the appropriate state and local law enforcement*  
29 *agencies that the vehicle is stolen. The notice required by this*  
30 *paragraph must be given directly to the applicable law*  
31 *enforcement agencies and is in addition to the entry described in*  
32 *paragraph (a).*

33 *5. The Director shall, in consultation with appropriate state*  
34 *and local law enforcement agencies, adopt such regulations as are*  
35 *necessary to carry out the provisions of this section.*

36 *6. As used in this section:*

37 *(a) "Registering authority" means a person or governmental*  
38 *agency authorized by law to accept an application for the initial*  
39 *registration of a vehicle in this State. The term includes, without*  
40 *limitation:*

41 *(1) The Department, including a branch office thereof;*

42 *(2) A registered dealer;*

43 *(3) An agent appointed by the Department or Director*  
44 *pursuant to NRS 482.160, if such agent is authorized to register*  
45 *motor vehicles; and*



1       (4) *A participant authorized pursuant to NRS 482.294 to*  
2 *submit, by electronic means, documents required for the issuance*  
3 *of a certificate of registration.*

4       (b) *“Vehicle” means any vehicle required to be registered*  
5 *pursuant to the provisions of chapter 482 or 706 of NRS, except*  
6 *mobile homes as defined in NRS 482.067.*

7       **Sec. 3.** *If a vehicle that is stolen is registered and, to the best*  
8 *knowledge and belief of the Department, the person who paid the*  
9 *registration fees was unaware that the vehicle was stolen, such*  
10 *person must be allowed credit on those fees toward the registration*  
11 *of a different vehicle.*

12       **Sec. 4.** NRS 482.135 is hereby amended to read as follows:

13       482.135 Except as otherwise provided in NRS 482.36348 ~~(b)~~  
14 *and section 2 of this act*, “vehicle” means every device in, upon or  
15 by which any person or property is or may be transported or drawn  
16 upon a public highway. The term does not include:

17       1. Devices moved by human power or used exclusively upon  
18 stationary rails or tracks;

19       2. Mobile homes or commercial coaches as defined in chapter  
20 489 of NRS; or

21       3. Electric personal assistive mobility devices.

22       **Sec. 5.** NRS 482.216 is hereby amended to read as follows:

23       482.216 1. Upon the request of a new vehicle dealer, the  
24 Department may authorize the new vehicle dealer to:

25       (a) Accept applications for the registration of the new motor  
26 vehicles he sells and the related fees and taxes;

27       (b) Issue certificates of registration to applicants who satisfy the  
28 requirements of this chapter; and

29       (c) Accept applications for the transfer of registration pursuant  
30 to NRS 482.399 if the applicant purchased from the new vehicle  
31 dealer a new vehicle to which the registration is to be transferred.

32       2. A new vehicle dealer who is authorized to issue certificates  
33 of registration pursuant to subsection 1 shall:

34       (a) *Perform the duties required pursuant to section 2 of this*  
35 *act;*

36       (b) Transmit the applications he receives to the Department  
37 within the period prescribed by the Department;

38       ~~(b)~~ (c) Transmit the fees he collects from the applicants and  
39 properly account for them within the period prescribed by the  
40 Department;

41       ~~(c)~~ (d) Comply with the regulations adopted pursuant to  
42 subsection 4; and

43       ~~(d)~~ (e) Bear any cost of equipment which is necessary to issue  
44 certificates of registration, including any computer hardware or  
45 software.



3. A new vehicle dealer who is authorized to issue certificates of registration pursuant to subsection 1 shall not:

(a) Charge any additional fee for the performance of those services;

(b) Receive compensation from the Department for the performance of those services;

(c) Accept applications for the renewal of registration of a motor vehicle; or

(d) Accept an application for the registration of a motor vehicle if the applicant wishes to:

(1) Obtain special license plates pursuant to NRS 482.3667 to 482.3825, inclusive; or

(2) Claim the exemption from the governmental services tax provided pursuant to NRS 361.1565 to veterans and their relations.

4. The Director shall adopt such regulations as are necessary to carry out the provisions of this section. The regulations adopted pursuant to this subsection must provide for:

(a) The expedient and secure issuance of license plates and decals by the Department; and

(b) The withdrawal of the authority granted to a new vehicle dealer pursuant to subsection 1 if that dealer fails to comply with the regulations adopted by the Department.

**Sec. 6.** 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) *Perform the duties required pursuant to section 2 of this act.*

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

~~(b)~~ (c) Except as otherwise provided in NRS 482.321, 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)~~ (d) Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.

~~(d)~~ (e) Issue a certificate of registration.

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

~~(f)~~ (g) 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 title as provided in this chapter.



- 1       3. Except as otherwise provided in NRS 371.070, every vehicle
- 2 being registered for the first time in Nevada must be taxed for the
- 3 purposes of the governmental services tax for a 12-month period.
- 4       4. The Department shall deduct and withhold 2 percent of the
- 5 taxes collected pursuant to paragraph ~~(e)~~ (d) of subsection 1 and
- 6 remit the remainder to the Department of Taxation.
- 7       5. A registered dealer shall forward all fees and taxes collected
- 8 for the registration of vehicles to the Department.







