

ASSEMBLY BILL NO. 174—ASSEMBLYMEN ATKINSON, MANENDO, HORNE, KIRKPATRICK, LESLIE, ALLEN, ANDERSON, ARBERRY, BEERS, BOBZIEN, BUCKLEY, DENIS, GERHARDT, GOICOECHEA, HARDY, HOGAN, KIHUEN, KOIVISTO, MCCLAIN, OHRENSCHALL, PIERCE, SEGERBLUM, SMITH AND WOMACK

FEBRUARY 26, 2007

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the transfer of the registration of certain vehicles. (BDR 43-907)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 vehicle registration; revising the provisions governing the transfer of the registration of certain vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the holder of the registration for a vehicle to transfer
- 2 the balance of the registration to another vehicle to be registered by him. In
- 3 determining the balance remaining on the registration, the Department of Motor
- 4 Vehicles uses the date on which the person applies to transfer the registration.
- 5 (NRS 482.399) Existing law authorizes dealers, rebuilders and lessors to attach a
- 6 temporary placard for registration to a vehicle that is sold or leased which is valid
- 7 for 30 days after the date of the sale or lease. (NRS 482.423, 482.4235, 482.424)
- 8 During that time, financing may be secured and the purchaser may drive the vehicle
- 9 for 30 days. When a temporary placard is placed on the vehicle to which the
- 10 registration is transferred, the balance of the registration being transferred is
- 11 determined from the date on which the person applies for the new registration.
- 12 (NRS 482.399) This bill instead provides that the date of the sale or lease must be
- 13 used for determining the balance of the registration to be transferred.



* A B 1 7 4 *

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

Section 1. NRS 482.399 is hereby amended to read as follows:
482.399 1. Upon the transfer of the ownership of or interest in any vehicle by any holder of a valid registration, or upon destruction of the vehicle, the registration expires.

2. The holder of the original registration may transfer the registration to another vehicle to be registered by him and use the same regular license plate or plates or special license plate or plates issued pursuant to NRS 482.3667 to ~~482.3823, inclusive, or~~ 482.384, *inclusive*, on the vehicle from which the registration is being transferred, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he is transferring his ownership or interest. Except as otherwise provided in NRS 482.294, an application for transfer of registration must be made in person, if practicable, to any office or agent of the Department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete.

3. ~~It is~~ *Except as otherwise provided in subsection 5, in* computing the governmental services tax, the Department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current ~~registration period or~~ calendar year *or registration period* on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers his ownership or interest in two or more vehicles, the Department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current ~~registration period or~~ calendar year *or registration period* on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers his ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner.

4. ~~It is~~ *Except as otherwise provided in subsection 5, in* computing the registration fee, the Department or its agent or the



1 registered dealer shall credit the portion of the registration fee paid
2 on each vehicle attributable to the remainder of the current calendar
3 year or registration period on a pro rata basis against the registration
4 fee due on the vehicle to which registration is transferred.

5 5. *For the purpose of computing the portion of the*
6 *governmental services tax and registration fee to be credited upon*
7 *the transfer of registration from one or more vehicles to another*
8 *vehicle, as described in subsections 3 and 4:*

9 (a) *If the vehicle to which registration is transferred is a new,*
10 *used or rebuilt vehicle to which the seller or long-term lessor, as*
11 *applicable, affixed a temporary placard pursuant to NRS 482.423,*
12 *482.4235 or 482.424, and if application for the transfer of*
13 *registration to that vehicle is made before the temporary placard*
14 *expires, the remainder of the current calendar year or registration*
15 *period must be calculated on a pro rata basis from the date on*
16 *which the dealer's or rebuilder's report of sale or the long-term*
17 *lessor's report of lease, as applicable, is executed, and not from*
18 *the date on which application for the transfer of registration is*
19 *made.*

20 (b) If the amount owed on the registration fee or governmental
21 services tax on the vehicle to which registration is transferred is less
22 than the credit on the total registration fee or governmental services
23 tax paid on all vehicles from which a person transfers his ownership
24 or interest, no refund may be allowed by the Department.

25 6. If the license plate or plates are not appropriate for the
26 second vehicle, the plate or plates must be surrendered to the
27 Department or registered dealer and an appropriate plate or plates
28 must be issued by the Department. The Department shall not reissue
29 the surrendered plate or plates until the next succeeding licensing
30 period.

31 7. If application for transfer of registration is not made within
32 60 days after the destruction or transfer of ownership of or interest
33 in any vehicle, the license plate or plates must be surrendered to the
34 Department on or before the 60th day for cancellation of the
35 registration.

36 8. If a person cancels his registration and surrenders to the
37 Department his license plates for a vehicle, the Department shall, in
38 accordance with the provisions of subsection 9, issue to the person a
39 refund of the portion of the registration fee and governmental
40 services tax paid on the vehicle attributable to the remainder of the
41 current calendar year or registration period on a pro rata basis.

42 9. The Department shall issue a refund pursuant to subsection 8
43 only if the request for a refund is made at the time the registration is
44 cancelled and the license plates are surrendered, the person
45 requesting the refund is a resident of Nevada, the amount eligible



1 for refund exceeds \$100 ~~H~~ and evidence satisfactory to the
2 Department is submitted that reasonably proves the existence of
3 extenuating circumstances. For the purposes of this subsection, the
4 term “extenuating circumstances” means circumstances wherein:

5 (a) The person has recently relinquished his driver’s license and
6 has sold or otherwise disposed of his vehicle.

7 (b) The vehicle has been determined to be inoperable and the
8 person does not transfer the registration to a different vehicle.

9 (c) The owner of the vehicle is seriously ill or has died and the
10 guardians or survivors have sold or otherwise disposed of the
11 vehicle.

12 (d) Any other event occurs which the Department, by regulation,
13 has defined to constitute an “extenuating circumstance” for the
14 purposes of this subsection.

