

ASSEMBLY BILL NO. 5—ASSEMBLYMAN HARDY

PREFILED DECEMBER 12, 2006

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to the registration of certain heavier motor vehicles. (BDR 43-528)

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 the Department of Motor Vehicles to adopt varying dates of registration of vehicles registered by the Motor Carrier Division of the Department and certain heavier vehicles; providing for the payment of fees for registration in installments; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Sections 1, 2 and 4-6** of this bill allow the Department of Motor Vehicles to set
2 varying dates for the registration of vehicles which weigh over 26,000 pounds or
3 which otherwise must be registered through the Motor Carrier Division of the
4 Department. (NRS 371.070, 482.206, 482.463) **Section 3** of this bill allows the
5 Department to set the dates for installment payments for the registration of vehicles
6 in a fleet by regulation instead of requiring payment on dates currently set by
7 statute. (NRS 482.482) **Section 7** of this bill provides that the registration
8 requirements become effective on January 1, 2009.

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

1 **Section 1.** NRS 482.206 is hereby amended to read as follows:
2 482.206 1. Except as otherwise provided in this section,
3 every motor vehicle, except for a motor vehicle that is registered
4 pursuant to the provisions of NRS 706.801 to 706.861, inclusive, ~~for~~
5 ~~which is a motor vehicle with a declared gross weight in excess of~~



1 ~~26,000 pounds;~~ must be registered for a period of 12 consecutive
2 months beginning the day after the first registration by the owner in
3 this State.

4 2. Every vehicle registered by an agent of the Department or a
5 registered dealer must be registered for 12 consecutive months
6 beginning the first day of the month after the first registration by the
7 owner in this State.

8 3. *A vehicle which must be registered through the Motor*
9 *Carrier Division of the Department, or a motor vehicle which has*
10 *a declared gross weight in excess of 26,000 pounds, must be*
11 *registered for a period of 12 consecutive months beginning on the*
12 *date established by the Department by regulation.*

13 4. Upon the application of the owner of a fleet of vehicles, the
14 Director may permit him to register his fleet on the basis of a
15 calendar year.

16 ~~[4.]~~ 5. When the registration of any vehicle is transferred
17 pursuant to NRS 482.399, the expiration date of each regular license
18 plate, special license plate or substitute decal must, at the time of the
19 transfer of registration, be advanced for a period of 12 consecutive
20 months beginning:

21 (a) The first day of the month after the transfer, if the vehicle is
22 transferred by an agent of the Department; or

23 (b) The day after the transfer in all other cases,
24 ➤ and a credit on the portion of the fee for registration and
25 the governmental services tax attributable to the remainder of the
26 current period of registration must be allowed pursuant to the
27 applicable provisions of NRS 482.399.

28 **Sec. 2.** NRS 482.463 is hereby amended to read as follows:

29 482.463 The holder of an original registration for a motor
30 vehicle with a declared gross weight in excess of 26,000 pounds
31 may, upon surrendering the certificate of registration and the
32 corresponding license plates to the Department or upon signing a
33 notarized statement indicating the certificate of registration and the
34 corresponding license plates were lost and providing such
35 supporting documentation as the Department requires, apply to the
36 Department:

37 1. For a refund of an amount equal to that portion of the
38 governmental services taxes and registration fees paid for the motor
39 vehicle that is attributable, on a pro rata monthly basis, to the
40 remainder of the ~~[calendar year;]~~ *period of registration;* or

41 2. To have that amount credited against excise taxes due
42 pursuant to the provisions of chapter 366 of NRS.

43 **Sec. 3.** NRS 482.482 is hereby amended to read as follows:

44 482.482 1. In addition to any other applicable fee listed in
45 NRS 482.480, there must be paid to the Department for the



1 registration of every motortruck, truck-tractor or bus which has
2 declared gross weight of:

3 (a) Less than 6,000 pounds, a fee of \$33.

4 (b) Not less than 6,000 pounds and not more than 8,499 pounds,
5 a fee of \$38.

6 (c) Not less than 8,500 pounds and not more than 10,000
7 pounds, a fee of \$48.

8 (d) Not less than 10,001 pounds and not more than 26,000
9 pounds, a fee of \$12 for each 1,000 pounds or fraction thereof.

10 (e) Not less than 26,001 pounds and not more than 80,000
11 pounds, a fee of \$17 for each 1,000 pounds or fraction thereof. The
12 maximum fee is \$1,360.

13 2. Except as otherwise provided in subsection 6, the original or
14 renewal registration fees for fleets of vehicles with a declared gross
15 weight in excess of 26,000 pounds and the governmental services
16 tax imposed by the provisions of chapter 371 of NRS for the
17 privilege of operating those vehicles may be paid in ~~equal~~
18 ~~installments. Installments are due on or before January 31, April 1,~~
19 ~~July 1 and October 1 of each year. The~~ **installments, the** amount of
20 ~~each installment~~ **which** must be determined by ~~taking the total fee~~
21 ~~and governmental services tax due for the calendar year and~~
22 ~~dividing that total by four.~~ **regulation.** The Department shall not
23 allow installment payments for a vehicle added to a fleet after the
24 original or renewal registration is issued.

25 3. If the due date of any installment falls on a Saturday, Sunday
26 or legal holiday, that installment is not due until the next following
27 business day.

28 4. Any payment required by subsection 2 shall be deemed
29 received by the Department on the date shown by the post office
30 cancellation mark stamped on an envelope containing payment
31 properly addressed to the Department, if that date is earlier than the
32 actual receipt of that payment.

33 5. A person who fails to pay any fee pursuant to subsection 2
34 or governmental services tax when due shall pay to the Department
35 a penalty of 10 percent of the amount of the unpaid fee, plus interest
36 on the unpaid fee at the rate of 1 percent per month or fraction of a
37 month from the date the fee and tax were due until the date of
38 payment.

39 6. If a person fails to pay any fee pursuant to subsection 2 or
40 governmental services tax when due, the Department may, in
41 addition to the penalty provided for in subsection 5, require that
42 person to pay:

43 (a) The entire amount of the unpaid registration fee and
44 governmental services tax owed by that person for the remainder of
45 the ~~calendar year;~~ **period of registration;** and



(b) On an annual basis, any registration fee and governmental services tax set forth in subsection 2 which may be incurred by that person in any subsequent ~~{calendar year.}~~ **period of registration.**

Sec. 4. NRS 371.070 is hereby amended to read as follows:

371.070 Upon the registration for the first time in this State after the beginning of the **period of** registration ~~{year}~~ of a vehicle which is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive, or which has a declared gross weight in excess of 26,000 pounds, the amount of the governmental services tax must be reduced one-twelfth for each month which has elapsed since the beginning of ~~{such year.}~~ **the period of registration.**

Sec. 5. NRS 371.080 is hereby amended to read as follows:

371.080 If any vehicle which is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive, or has a declared gross weight in excess of 26,000 pounds, and which is exempt from the governmental services tax pursuant to NRS 371.100 ceases to be exempt after the beginning of the **period of** registration ~~{year}~~ by reason of a change of ownership, the amount of the tax must be reduced one-twelfth for each month which has elapsed since the beginning of that ~~{year.}~~ **period of registration.**

Sec. 6. NRS 706.841 is hereby amended to read as follows:

706.841 1. Each operator shall qualify to operate pursuant to the provisions of NRS 706.801 to 706.861, inclusive, by filing an application for that purpose with the Department :

(a) If the application is an initial application for registration, before the time any fee becomes delinquent ~~{ }~~ ; and

(b) If the application is for the renewal of a registration, on or before December 1.

2. The application must:

(a) Show the total mileage of motor vehicles operated by the person in this State and all states and countries during the next preceding 12 months ending June 30 and describe and identify each motor vehicle to be operated during the period of registration in such detail as the Department may require.

(b) Be accompanied by a fee, unless the Department is satisfied that the fee is secured, to be computed as follows:

(1) Divide the number of in-state miles by the total number of fleet miles;

(2) Determine the total amount of money necessary to register each motor vehicle in the fleet for which registration is requested; and

(3) Multiply the amount determined under subparagraph (2) by the fraction obtained pursuant to subparagraph (1).

Sec. 7. 1. This section and section 6 of this act become effective upon passage and approval.



- 1 2. Sections 1 to 5, inclusive, of this act become effective:
- 2 (a) Upon passage and approval for the purpose of adopting
- 3 regulations and performing any other preparatory administrative
- 4 tasks that are necessary to carry out the provisions of this act; and
- 5 (b) On January 1, 2009, for all other purposes.

