

ASSEMBLY BILL NO. 580—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 26, 2007

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to the disposition of fees and administrative fines for certain licenses and titles relating to motor vehicles. (BDR 43-1417)

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

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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; abolishing the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages in the State General Fund; requiring that certain fees and administrative fines collected for licenses and titles relating to salvage pools, automobile wreckers, body shops and garages be deposited with the State Treasurer for credit to the Motor Vehicle Fund; creating the Revolving Account for the Issuance of Salvage Titles in the Motor Vehicle Fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires that certain fees and administrative fines collected
2 pursuant to chapter 487 of NRS be deposited with the State Treasurer for credit to
3 the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops
4 and Garages in the State General Fund. (NRS 487.070, 487.080, 487.450, 487.475,
5 487.560, 487.630, 487.810, 487.990) **Section 1** of this bill creates the Revolving
6 Account for the Issuance of Salvage Titles as a special account in the Motor
7 Vehicle Fund. **Section 1** requires that the money in the Account be used by the
8 Department of Motor Vehicles only to pay the expenses relating to the issuance of
9 salvage titles. **Section 5** of this bill abolishes the Account for Regulation of Salvage
10 Pools, Automobile Wreckers, Body Shops and Garages. **Sections 2-9 and 12** of this
11 bill require that those fees and administrative fines collected be deposited with the
12 State Treasurer for credit to the Motor Vehicle Fund. **Section 11** of this bill requires



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13 that the fees collected for the issuance of salvage titles for motor vehicles be
14 deposited with the State Treasurer for credit to the Revolving Account.

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

1 **Section 1.** Chapter 487 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. The Revolving Account for the Issuance of Salvage Titles***
4 ***is hereby created as a special account in the Motor Vehicle Fund.***

5 ***2. The Department shall use the money in the Account only***
6 ***to pay the expenses relating to the issuance of salvage titles.***

7 ***3. At the end of each fiscal year, the State Controller shall***
8 ***transfer from the Account to the State Highway Fund an amount***
9 ***of money equal to the balance in the Account which exceeds***
10 ***\$50,000.***

11 **Sec. 2.** NRS 487.070 is hereby amended to read as follows:

12 487.070 1. The Department may approve or reject the
13 application. If the Department receives the statement required
14 pursuant to NRS 487.003 and approves the application, it shall issue
15 to the applicant:

16 (a) A license containing the applicant's name and address, the
17 name under which the business is to be conducted, the business
18 address, and a distinguishing number assigned to the applicant.

19 (b) A card which:

20 (1) Contains the information specified in paragraph (a);

21 (2) Includes a picture of the licensee; and

22 (3) Clearly identifies the holder of the card as a licensed
23 automobile wrecker.

24 2. A licensee may obtain one or two cards for his business. The
25 Department shall charge a fee of \$50 for each card issued. Fees
26 collected by the Department pursuant to this subsection must be
27 deposited with the State Treasurer ~~[to the credit of the Account for~~
28 ~~Regulation of Salvage Pools, Automobile Wreckers, Body Shops~~
29 ~~and Garages.]~~ ***for credit to the Motor Vehicle Fund.***

30 3. A licensee shall post the license in a conspicuous place
31 clearly visible to the general public at the business address set forth
32 on the license.

33 4. A license expires on April 30 of each year.

34 5. A licensee may renew his license by submitting to the
35 Department:

36 (a) A completed application for renewal upon a form supplied
37 by the Department;

38 (b) The statement required pursuant to NRS 487.003; and

39 (c) The fee for renewal of a license provided in NRS 487.080.



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Sec. 3. NRS 487.070 is hereby amended to read as follows:

487.070 1. The Department may approve or reject the application and, if approved, shall issue to the applicant:

(a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

(b) A card which:

(1) Contains the information specified in paragraph (a);

(2) Includes a picture of the licensee; and

(3) Clearly identifies the holder of the card as a licensed automobile wrecker.

2. A licensee may obtain one or two cards for his business. The Department shall charge a fee of \$50 for each card issued. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer ~~[to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages.]~~ *for credit to the Motor Vehicle Fund.*

3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

4. A license expires on April 30 of each year.

5. A licensee may renew his license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department; and

(b) The fee for renewal of a license provided in NRS 487.080.

Sec. 4. NRS 487.080 is hereby amended to read as follows:

487.080 1. The fee for issuance or renewal of an automobile wrecker's license is \$300.

2. Fees collected *by the Department pursuant to this section* must be deposited with the State Treasurer ~~[to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages.]~~ *for credit to the Motor Vehicle Fund.*

Sec. 5. NRS 487.450 is hereby amended to read as follows:

487.450 1. The Department shall charge and collect a fee of \$300 for the issuance or renewal of a license to operate a salvage pool.

2. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer ~~[to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages which is hereby created in the State General Fund. Money in the Account may be used only for the administration of NRS 487.002, 487.050 to 487.200, inclusive, and 487.400 to 487.690, inclusive.]~~ *for credit to the Motor Vehicle Fund.*



Sec. 6. NRS 487.475 is hereby amended to read as follows:

487.475 1. A card authorizing a dealer of new or used motor vehicles or a rebuilder to bid to purchase a vehicle from an operator of a salvage pool must contain:

- (a) The dealer's or rebuilder's name and signature;
- (b) His business name;
- (c) His business address;
- (d) His business license number issued by the Department; and
- (e) A picture of the dealer or rebuilder.

2. A dealer or rebuilder may obtain one or two cards for his business. If a dealer obtains two cards for his business, one of the cards may be issued to a salesman who is an employee of the dealer and who is:

- (a) Licensed pursuant to NRS 482.362; and
- (b) Acting as an agent for the dealer in the purchase of a vehicle from an operator of a salvage pool.

3. The Department shall charge a fee of \$50 for each card issued.

4. A card issued pursuant to this section expires on December 31 of the year in which it was issued. The dealer or rebuilder must submit to the Department an application for renewal accompanied by a renewal fee of \$25 for each card. The application must be made on a form provided by the Department and contain such information as the Department requires.

5. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer ~~to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages.~~ *for credit to the Motor Vehicle Fund.*

Sec. 7. NRS 487.560 is hereby amended to read as follows:

487.560 1. On and after January 1, 1998, a garageman shall register with the Department for authorization to operate a garage.

2. An application for registration must be on a form provided by the Department. The application must include:

- (a) The name of the applicant, including each name under which he intends to do business;
- (b) The complete street address of each location from which the applicant will be conducting business, including a designation of the location that will be his principal place of business;
- (c) A copy of the business license for each garage operated by the applicant if the county or city in which the applicant operates a garage requires such a license;
- (d) The type of repair work offered at each garage operated by the applicant;
- (e) The number of mechanics employed at each garage operated by the applicant;



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- (f) The statement required by NRS 487.563; and
- (g) Any other information required by the Department.

3. Except as otherwise provided in this subsection, for each garage operated by an applicant, the Department shall charge a fee of \$25 for the issuance or renewal of registration. If an applicant operates more than one garage, he may file one application if he clearly indicates on the application the location of each garage operated by the applicant and each person responsible for the management of each garage. The Department shall waive the fee for the issuance or renewal of registration for a person that is licensed as:

(a) An authorized inspection station, authorized maintenance station or authorized station pursuant to chapter 445B of NRS;

(b) A manufacturer, distributor, dealer or rebuilder pursuant to chapter 482 of NRS; or

(c) An automobile wrecker, salvage pool or body shop pursuant to chapter 487 of NRS.

4. All fees collected *by the Department* pursuant to this section must be deposited with the State Treasurer ~~to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages.~~ *for credit to the Motor Vehicle Fund.*

5. An applicant for registration or renewal of registration shall notify the Department of any material change in the information contained in his application for registration or renewal within 10 days after his knowledge of the change.

Sec. 8. NRS 487.630 is hereby amended to read as follows:

487.630 1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The application must include the social security number of the applicant and be accompanied by such proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop.

2. The Department shall charge a fee of \$300 for the issuance or renewal of a license to operate a body shop. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer ~~to the credit of the Account for Regulation of Salvage Pools, Automobile Wreckers, Body Shops and Garages.~~ *for credit to the Motor Vehicle Fund.*

3. Upon receipt of the application and the statement required pursuant to NRS 487.003 and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator.

4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in



1 the body shop and include the license number on all estimates and
2 invoices for repairs.

3 5. A license expires on April 30 of each year.

4 6. A licensee may renew his license by submitting to the
5 Department:

6 (a) A completed application for renewal upon a form supplied
7 by the Department;

8 (b) The statement required pursuant to NRS 487.003; and

9 (c) The fee for renewal of a license provided in subsection 2.

10 **Sec. 9.** NRS 487.630 is hereby amended to read as follows:

11 487.630 1. An application for a license to operate a body
12 shop must be filed with the Department upon forms supplied by the
13 Department. The application must be accompanied by such proof as
14 the Department requires to demonstrate that the applicant meets the
15 statutory requirements to operate a body shop.

16 2. The Department shall charge a fee of \$300 for the issuance
17 or renewal of a license to operate a body shop. Fees collected by the
18 Department pursuant to this subsection must be deposited with the
19 State Treasurer ~~[to the credit of the Account for Regulation of~~
20 ~~Salvage Pools, Automobile Wreckers, Body Shops and Garages.]~~
21 *for credit to the Motor Vehicle Fund.*

22 3. Upon receipt of the application and when satisfied that the
23 applicant is entitled thereto, the Department shall issue to the
24 applicant a license to operate a body shop. The license must contain
25 the name and the address of the body shop and the name of the
26 operator.

27 4. Upon receipt of the license, the operator shall post the
28 license in a conspicuous place clearly visible to the general public in
29 the body shop and include the license number on all estimates and
30 invoices for repairs.

31 5. A license expires on April 30 of each year.

32 6. A licensee may renew his license by submitting to the
33 Department:

34 (a) A completed application for renewal upon a form supplied
35 by the Department; and

36 (b) The fee for renewal of a license provided in subsection 2.

37 **Sec. 10.** NRS 487.710 is hereby amended to read as follows:

38 487.710 As used in NRS 487.710 to 487.890, inclusive, *and*
39 *section 1 of this act*, unless the context otherwise requires, the
40 words and terms defined in NRS 487.720 to 487.790, inclusive,
41 have the meanings ascribed to them in those sections.

42 **Sec. 11.** NRS 487.810 is hereby amended to read as follows:

43 487.810 1. The state agency may issue a salvage title for a
44 vehicle, which contains a brief description of the vehicle, including,
45 insofar as data may exist with respect to the vehicle, the make, type,



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1 serial number and motor number, or any other number of the
2 vehicle, upon application, to:

- 3 (a) The owner of the vehicle;
- 4 (b) The person to whom the vehicle is titled;
- 5 (c) An insurance company that acquires the vehicle as a salvage
6 vehicle pursuant to subsection 1 of NRS 487.800; or
- 7 (d) A lienholder who acquires title to the vehicle.

8 2. A properly endorsed title, together with a disclosure of
9 mileage, as required pursuant to the provisions of 49 U.S.C. §§
10 32701 et seq. and 49 C.F.R. § 580.5, must be submitted with the
11 application for salvage title.

12 3. Within 2 days after receiving all necessary documents, the
13 state agency shall issue a salvage title for the vehicle.

14 4. Except as otherwise provided in this subsection, the state
15 agency shall charge and collect a fee of \$10 for the issuance of a
16 salvage title pursuant to this section. The state agency shall not
17 charge a fee for the issuance of a salvage title to an automobile
18 wrecker licensed in this State. Fees collected by the state agency
19 pursuant to this subsection must be deposited with the State
20 Treasurer for credit to the ~~[Account for Regulation of Salvage Pools,
21 Automobile Wreckers, Body Shops and Garages created by NRS
22 487.450.]~~ *Revolving Account for the Issuance of Salvage Titles
23 created by section 1 of this act.*

24 5. Ownership interest in a salvage vehicle may not be
25 transferred unless a salvage title has been issued by the state agency
26 for the vehicle.

27 6. Possession of a salvage title does not entitle a person to
28 dismantle, scrap, process or wreck any vehicle in this State unless
29 the person holds a license issued pursuant to NRS 487.050.

30 7. The Department shall not issue a salvage title for a
31 nonrepairable vehicle.

32 **Sec. 12.** NRS 487.990 is hereby amended to read as follows:

33 487.990 1. The Department may impose an administrative
34 fine, not to exceed \$2,500, for a violation of any provision of this
35 chapter, or any rule, regulation or order adopted or issued pursuant
36 thereto. The Department shall afford to any person so fined an
37 opportunity for a hearing pursuant to the provisions of
38 NRS 233B.121.

39 2. Except as otherwise provided in subsection 3, all
40 administrative fines collected by the Department pursuant to
41 subsection 1 must be deposited with the State Treasurer for credit to
42 the State General Fund.

43 3. The Department may delegate to a hearing officer or panel
44 its authority to impose and collect administrative fines pursuant to
45 subsection 1 and deposit the money collected with the State



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1 Treasurer for credit to the ~~[Account for Regulation of Salvage Pools,~~
2 ~~Automobile Wreckers, Body Shops and Garages.]~~ **Motor Vehicle**
3 **Fund.**

4 4. In addition to any other remedy provided by this chapter, the
5 Department may compel compliance with any provision of this
6 chapter and any rule, regulation or order adopted or issued pursuant
7 thereto, by injunction or other appropriate remedy and the
8 Department may institute and maintain in the name of the State of
9 Nevada any such enforcement proceedings.

10 **Sec. 13.** The State Controller shall, as soon as practicable on
11 or after July 1, 2007, transfer to the Motor Vehicle Fund created by
12 NRS 482.180 all money in the Account for Regulation of Salvage
13 Pools, Automobile Wreckers, Body Shops and Garages created by
14 NRS 487.450.

15 **Sec. 14.** 1. This section and sections 1, 2, 4 to 8, inclusive,
16 and 10 to 13, inclusive, of this act become effective on July 1, 2007.

17 2. Sections 2 and 8 of this act expire by limitation on the date
18 on which the provisions of 42 U.S.C. § 666 requiring each state to
19 establish procedures under which the state has authority to withhold
20 or suspend, or to restrict the use of professional, occupational and
21 recreational licenses of persons who:

22 (a) Have failed to comply with a subpoena or warrant relating
23 to a proceeding to determine the paternity of a child or to establish
24 or enforce an obligation for the support of a child; or

25 (b) Are in arrears in the payment for the support of one or more
26 children,

27 ➤ are repealed by the Congress of the United States.

28 3. Sections 3 and 9 of this act become effective on the date on
29 which the provisions of 42 U.S.C. § 666 requiring each state to
30 establish procedures under which the state has authority to withhold
31 or suspend, or to restrict the use of professional, occupational and
32 recreational licenses of persons who:

33 (a) Have failed to comply with a subpoena or warrant relating
34 to a procedure to determine the paternity of a child or to establish or
35 enforce an obligation for the support of a child; or

36 (b) Are in arrears in the payment for the support of one or more
37 children,

38 ➤ are repealed by the Congress of the United States.

