

Amendment No. 126

Assembly Amendment to Assembly Bill No. 181

(BDR 43-456)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

CAF/SGW



Date: 4/15/2007

A.B. No. 181—Revises provisions relating to the survey of labor rates charged by body shops. (BDR 43-456)



ASSEMBLY BILL NO. 181—ASSEMBLYMAN MANENDO (BY REQUEST)

FEBRUARY 27, 2007

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to the survey of labor rates charged by body shops. (BDR 43-456)

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; revising provisions concerning the survey of labor rates charged by body shops; requiring the Department of **Motor Vehicles** to allow on-line verification of a license of a body shop; requiring an operator of a body shop to complete the survey as a condition for renewal of his license; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 2 and 8 of this bill transfer the duty to conduct an annual survey of rates charged by licensed body shops from the Commissioner of Insurance to the Department of Motor Vehicles. (NRS 690B.015) **Section 2** further requires the Department to conduct the survey by providing an on-line form which must be completed and submitted electronically by the operator of each licensed body shop and made available to the public on the Department's website ~~within 48 hours~~ **not more than 30 days** after the ~~completion of the survey~~ **renewal of the body shop's license**. **Section 3** of this bill requires the Department to compile the results of each survey in a report which must be ~~updated daily and~~ made available to the public on-line. **Section 4** of this bill requires the Department to provide a method by which a person may verify the license of a body shop on-line. **Sections 6 and 7** of this bill require an operator of a body shop to complete the survey as a condition for the renewal of his license. (NRS 487.630)

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

Section 1. Chapter 487 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. A body shop licensed in this State must complete an on-line survey within ~~90~~ 60 days immediately preceding the date of the submission of the application for renewal of the license of the body shop.

2. The Department shall conduct the survey by providing a form on its website or other Internet site to be completed by each body shop and submitted electronically to the Department.

3. Each survey must include, without limitation:

- (a) The name and address of the body shop;
- (b) The labor rate charged by the body shop; and
- (c) Any other information the Department deems necessary.

4. The information obtained from each survey must be available to the public on-line ~~within 48 hours of~~ not more than 30 days after the completion of the survey by renewal of the body shop's license.

Sec. 3. 1. The Department must compile the results of each survey completed pursuant to section 2 of this act in a report which must be ~~updated daily and~~ made available to the public on-line. The report must include, without limitation:

- (a) The names and addresses of all body shops that complete the survey;
- (b) The prevailing labor rate for body shops in a specific geographic area as established by the Department; and
- (c) Any other information the Department deems necessary.

2. As used in this section, "prevailing labor rate" means the ~~most commonly occurring labor rate charged by body shops~~ average labor rate reported in the survey in a specific geographic area.

Sec. 4. The Department shall provide a method on its website or other Internet site by which a person may verify the license of a body shop.

Sec. 5. NRS 487.600 is hereby amended to read as follows:

487.600 As used in NRS ~~487.610~~ 487.600 to 487.690, inclusive, and sections 2, 3 and 4 of this act, "body shop" means any place where the body of a motor vehicle is painted, fixed, repaired or replaced for compensation.

Sec. 6. 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 must 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.

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

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

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

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

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

(c) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within ~~90~~ 60 days immediately preceding the date of the submission of the application for renewal of a license, the survey required pursuant to section 2 of this act; and

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

1 **Sec. 7.** NRS 487.630 is hereby amended to read as follows:

2 487.630 1. An application for a license to operate a body shop must be filed
3 with the Department upon forms supplied by the Department. The application must
4 be accompanied by such proof as the Department requires to demonstrate that the
5 applicant meets the statutory requirements to operate a body shop.

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

10 3. Upon receipt of the application and when satisfied that the applicant is
11 entitled thereto, the Department shall issue to the applicant a license to operate a
12 body shop. The license must contain the name and the address of the body shop and
13 the name of the operator.

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

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

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

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

21 (b) *Evidence satisfactory to the Department that the licensee has completed*
22 *and electronically submitted, within ~~90~~ 60 days immediately preceding the date*
23 *of the submission of the application for renewal of a license, the survey required*
24 *pursuant to section 2 of this act; and*

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

26 **Sec. 8.** NRS 690B.015 is hereby repealed.

27 **Sec. 9.** 1. This section and sections 1 to 6, inclusive, and 8 of this act
28 become effective on July 1, 2007.

29 2. Section 6 of this act expires by limitation on the date on which the
30 provisions of 42 U.S.C. § 666 requiring each state to establish procedures under
31 which the state has the authority to withhold or suspend, or to restrict the use of
32 professional, occupational and recreational licenses of persons who:

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

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

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

38 3. Section 7 of this act becomes effective on the date on which the provisions
39 of 42 U.S.C. § 666 requiring each state to establish procedures under which the
40 state has the authority to withhold or suspend, or to restrict the use of professional,
41 occupational and recreational licenses of persons who:

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

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

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

TEXT OF REPEALED SECTION

690B.015 Commissioner to conduct survey of operators of body shops; information to be compiled in report.

1. The Commissioner shall annually conduct a survey of licensed operators of body shops in this State to determine:

- (a) The rates charged by such operators for painting and other repairs; and
- (b) The difference, if any, between the amount paid by the operators for new and used parts acquired for repairs and the amount charged to customers for those parts.

2. The information obtained by the survey must be compiled in a written report, which must set forth information relating to:

- (a) Each county separately whose population is 50,000 or more; and
 - (b) The remaining counties of the State.
- ↪ The report is a public record for the purposes of NRS 239.010.