

Amendment No. 449

Assembly Amendment to Assembly Bill No. 39

(BDR 43-619)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: Yes 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.

EAH/SGW



Date: 4/21/2007

A.B. No. 39—Revises provisions relating to the registration of certain heavier motor vehicles. (BDR 43-619)



ASSEMBLY BILL NO. 39—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED JANUARY 26, 2007

Referred to Committee on Transportation

SUMMARY—Revises ~~provisions relating to the registration of certain heavier motor vehicles;~~ **the definition of “special mobile equipment.”** (BDR 43-619)

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 set varying dates of registration of certain vehicles registered by the Motor Carrier Division of the Department and certain heavier vehicles; providing for the payment of fees for registration in installments;~~ **revising the definition of “special mobile equipment”;** and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Sections ~~1, 2 and 4~~ C of this bill authorize the Department of Motor Vehicles to set varying dates for the registration of vehicles which weigh over 26,000 pounds or which otherwise must be registered through the Motor Carrier Division of the Department instead of requiring registration for 12 consecutive months beginning the day after the first registration by the owner. (NRS 371.070, 371.080, 482.206, 706.841) Section 3 of this bill allows the Department to establish by regulation dates for installment payments for the registration of motor vehicles in a fleet instead of requiring payment on dates established by statute. (NRS 482.482) Section 7 of this bill provides that the registration requirements become effective on ~~January 1, 2009.~~ 1-4 of this bill clarify that concrete pumpers, cranes and drill rigs with highway-rated tires are not considered special mobile equipment in certain circumstances. Sections 1-4 also require the Department of Motor Vehicles to define, by regulation, “incidentally operated or moved upon a highway” for purposes of those sections of NRS that use the phrase in the definition of “special mobile equipment.” (NRS 366.085, 482.123, 484.173, 706.121)

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

Delete existing sections 1 through 7 of this bill and replace with the following new sections 1 through 6:

Section 1. NRS 482.123 is hereby amended to read as follows:

482.123 1. “Special mobile equipment” means every motor vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including, but not limited to, scoomobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, ~~{and self-propelled cranes}~~ and earth-moving equipment.

2. “Special mobile equipment” does not include house trailers, dump trucks, truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-rated tires or other vehicles designed for the transportation of persons or property to which machinery has been attached.

3. The Director may make ~~{an individual}~~ the final determination as to whether ~~{any particular vehicle or kind of}~~ a vehicle ~~{,}~~ not specifically ~~{listed}~~ enumerated in subsection 1 or 2 ~~{,}~~ falls within this definition.

4. The Department shall, by regulation, define “incidentally operated or moved upon a highway” for purposes of this section.

Sec. 2. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

The Department may adopt regulations relating to the administration and enforcement of provisions in this chapter pertaining to special mobile equipment, as defined in NRS 484.173.

Sec. 3. NRS 484.173 is hereby amended to read as follows:

484.173 1. “Special mobile equipment” means every motor vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including but not limited to scoomobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck-tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, ~~{and self-propelled cranes}~~ and earth-moving equipment.

2. “Special mobile equipment” does not include house trailers, dump trucks, truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-rated tires or other vehicles designed for the transportation of persons or property to which machinery has been attached.

3. The Director may make ~~{an individual}~~ the final determination as to whether ~~{any particular}~~ a vehicle ~~{,}~~ not specifically enumerated in ~~{subsections}~~ subsection 1 ~~{and}~~ or 2 ~~{, is special mobile equipment as defined in this section.}~~ falls within this definition.

4. The Department shall, by regulation, define “incidentally operated or moved upon a highway” for purposes of this section.

1 **Sec. 4.** NRS 366.085 is hereby amended to read as follows:

2 366.085 1. “Special mobile equipment” means ~~that~~ every motor vehicle not
3 designed or used primarily for the transportation of persons or property, and only
4 incidentally operated or moved upon a highway. The term includes scoopmobiles,
5 forklifts, ditch-digging apparatus, well-boring apparatus and road construction and
6 maintenance machinery, such as asphalt graders, bituminous mixers, bucket
7 loaders, tractors other than truck tractors; leveling graders, finishing machines,
8 motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power
9 shovels, ~~and~~ draglines ~~and self-propelled cranes~~, and earth-moving equipment.

10 2. “Special mobile equipment” does not include house trailers, dump trucks,
11 truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-
12 rated tires or other vehicles designed for the transportation of persons or property
13 to which machinery has been attached.

14 3. The Director of the Department may make the final determination as to
15 whether a vehicle not specifically enumerated in subsection 1 or 2 falls within
16 this definition.

17 **Sec. 5.** NRS 706.121 is hereby amended to read as follows:

18 706.121 1. “Special mobile equipment” means every motor vehicle not
19 designed or used primarily for the transportation of persons or property and only
20 incidentally operated or moved upon a highway, including but not limited to
21 scoopmobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road
22 construction and maintenance machinery such as asphalt graders, bituminous
23 mixers, bucket loaders, tractors other than truck tractors, leveling graders, finishing
24 machines, motor graders, road rollers, scarifiers, earth-moving carryalls and
25 scrapers, power shovels and draglines, ~~and self-propelled cranes~~ and earth-
26 moving equipment.

27 2. “Special mobile equipment” does not include house trailers, dump trucks,
28 truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-
29 rated tires or other vehicles designed for the transportation of persons or property
30 to which machinery has been attached.

31 3. The Director of the Department may make the final determination as to
32 whether a vehicle not specifically enumerated in subsection 1 or 2 falls within
33 this definition.

34 4. The Department shall, by regulation, define “incidentally operated or
35 moved upon a highway” for purposes of this section.

36 **Sec. 6.** This act becomes effective on July 1, 2007.