

Amendment No. 161

Senate Amendment to Senate Bill No. 263	(BDR 43-340)
<b>Proposed by:</b> Senate Committee on Transportation and Homeland Security	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of S.B. 263 (§§ 5, 6, 33, 34).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

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.

TL/TMC



Date: 4/9/2007

S.B. No. 263—Makes various changes to provisions governing the registration of motor vehicles. (BDR 43-340)



SENATE BILL NO. 263—SENATORS SCHNEIDER, HARDY, BEERS, CARLTON, COFFIN,  
HORSFORD, LEE, RHOADS AND WIENER

MARCH 12, 2007

JOINT SPONSORS: ASSEMBLYMEN PARKS, ANDERSON, KIRKPATRICK, OCEGUERA,  
PIERCE AND WOMACK

Referred to Committee on Transportation and Homeland Security

SUMMARY—Makes various changes to provisions governing the registration of  
motor vehicles. (BDR 43-340)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for  
Term of Imprisonment in County or City Jail or Detention  
Facility.  
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; providing for the licensure of private entities to  
register motor vehicles and prepare the necessary documents for the  
issuance of certificates of title; and providing other matters properly  
relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that every owner of a motor vehicle intended to be operated upon  
any highway in this State must be registered by the Department of Motor Vehicles or a  
registered dealer. (NRS 482.205) Existing law also provides that upon the request of a new car  
dealer, the Department may authorize the new car dealer to accept applications for registration  
on new cars sold by the dealer, but the dealer is prohibited from charging an additional fee or  
receiving compensation from the Department for the service. (NRS 482.216) **Sections 2 and 3**  
of this bill authorize a private registration service to issue a certificate of registration for a  
motor vehicle and to perform other services relating to registration and title preparation.  
**Sections 5-17** of this bill provide the requirements for a registration service to obtain a license  
from the Department to operate such a business.

Existing law provides that the Department may grant approval to a financial institution or  
a new or used car dealer to submit documents required for the issuance or renewal of  
registrations for vehicles in this State electronically. (NRS 482.293, 482.294) **Sections 29 and**  
**30** of this bill provide that a registration service may apply for approval to submit registration  
documents electronically.

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

1       **Section 1.** Chapter 482 of NRS is hereby amended by adding thereto the  
2 provisions set forth as sections 2 to 17, inclusive, of this act.

3       **Sec. 2.** *“Registration service” means a business licensed pursuant to*  
4 *section 5 of this act to perform the functions relating to registering a motor*  
5 *vehicle and issuing or transferring the title of a motor vehicle as authorized in*  
6 *section 3 of this act.*

7       **Sec. 3.** 1. *A registration service may:*

8       (a) *Accept an application to register or renew the registration of a new or*  
9 *used motor vehicle and may collect the related fees and taxes;*

10       (b) *Accept an application to transfer the registration of a motor vehicle*  
11 *pursuant to NRS 482.399;*

12       (c) *Accept an application, collect the related fees and prepare any*  
13 *documentation necessary for the issuance or transfer of a certificate of title;*

14       (d) *Issue a certificate of registration to an applicant who satisfies the*  
15 *requirements of this chapter for the issuance of such a certificate; and*

16       (e) *Charge a fee for the performance of registration services.*

17       2. *A registration service shall:*

18       (a) *Transmit any application it receives pursuant to subsection 1 to the*  
19 *Department within the period prescribed by the Department;*

20       (b) *Transmit any fees and taxes it collects pursuant to subsection 1 to the*  
21 *Department and properly account for them within the period prescribed by the*  
22 *Department;*

23       (c) *Obtain at its own expense any equipment necessary to issue certificates of*  
24 *registration, including, without limitation, computer hardware or software; and*

25       (d) *Pay the cost of any audit required by the Department.*

26       3. *A registration service shall not:*

27       (a) *Register the motor vehicle of the person who holds the license to operate*  
28 *the registration service pursuant to section 5 of this act whether the motor vehicle*  
29 *is for his personal use or for use in the regular course of his business; or*

30       (b) *Accept an application for the issuance or transfer of a certificate of title*  
31 *for a person who holds the license to operate the registration service pursuant to*  
32 *section 5 of this act whether the motor vehicle is for his personal use or for use in*  
33 *the regular course of his business.*

34       4. *The provisions of this section do not apply to a registered dealer.*

35       **Sec. 4.** 1. *A person shall not operate a registration service until he*  
36 *obtains a license to do so pursuant to section 5 of this act.*

37       2. *A person licensed to operate a registration service shall post the license*  
38 *in a conspicuous place on the premises of the principal place of business of the*  
39 *registration service.*

40       **Sec. 5.** *A person may apply for a license to operate a registration service by*  
41 *filing an application on a form supplied by the Department. The form must*  
42 *identify the persons whose names are required to appear thereon. The application*  
43 *must include, without limitation:*

44       1. *The name and address of the principal place of business of the applicant*  
45 *and any branch locations;*

46       2. *Such proof as the Department deems necessary to establish that the*  
47 *applicant has the necessary equipment to operate a registration service;*

48       3. *A complete set of fingerprints of any person whose name is required to*  
49 *appear on the application and written permission authorizing the Department to*

1 forward those fingerprints to the Central Repository for Nevada Records of  
2 Criminal History for submission to the Federal Bureau of Investigation for its  
3 report;

4 4. A complete set of fingerprints of any employee of the registration service  
5 who will have access to electronic transmissions pursuant to NRS 482.293 and  
6 482.294 and written permission authorizing the Department to forward those  
7 fingerprints to the Central Repository for submission to the Federal Bureau of  
8 Investigation for its report;

9 5. A fee for the processing of fingerprints as established by regulation  
10 which must not exceed the sum of the amounts charged by the Central Repository  
11 and the Federal Bureau of Investigation for processing the fingerprints;

12 6. A bond executed by an admitted surety company; and

13 7. If the applicant is a natural person, the statement required pursuant to  
14 section 13 of this act.

15 Sec. 6. A license issued pursuant to section 5 of this act expires 1 year after  
16 the date on which it was issued. The license may be renewed annually upon the  
17 payment of a ~~[\$50 fee]~~ fee established by regulation pursuant to section 7 of this  
18 act. If the applicant is a natural person, the application for renewal also must be  
19 accompanied by the statement required pursuant to section 13 of this act. The  
20 renewal application form must be provided by the Department and contain the  
21 information required by the Department.

22 Sec. 7. 1. The Director shall adopt regulations establishing:

23 (a) The amount of the fee to process fingerprints pursuant to section 5 of this  
24 act;

25 (b) The amount of the fee for an application for a license to operate a  
26 registration service submitted pursuant to section 5 of this act; ~~and~~

27 (c) The amount of the fee for the renewal of a license to operate a  
28 registration service; and

29 (d) The minimum amount for the bond that must be executed pursuant to  
30 section 5 of this act.

31 2. The Director may adopt such other regulations as he deems necessary  
32 relating to a registration service.

33 3. The Director shall take any action necessary to ensure the expedient and  
34 secure issuance of license plates, decals and certificates of title by the Department  
35 to applicants who use a registration service for the registration of a motor vehicle,  
36 the renewal of a registration, the transfer of a registration or the issuance or  
37 transfer of a certificate of title.

38 Sec. 8. 1. The Department may deny the issuance or renewal of a license  
39 to operate a registration service or may suspend or revoke such a license upon  
40 any of the following grounds:

41 (a) Material misstatement in the application.

42 (b) Evidence of unfitness of an applicant or licensee.

43 (c) Failure or refusal to provide to the Department an authorization for the  
44 disclosure of financial records for the business pursuant to section 15 of this act.

45 (d) Willful failure to comply with the laws of this State relating to  
46 registration services or a directive of the Director. For the purposes of this  
47 paragraph, failure to comply with a directive of the Director advising the licensee  
48 of his noncompliance with the laws of this State relating to registration services,  
49 within 10 days after the receipt of the directive, is prima facie evidence of willful  
50 failure to comply with the directive.

51 (e) Failure or refusal to furnish and keep in force the bond required  
52 pursuant to section 5 of this act.

1 (f) Failure or refusal by a licensee to pay or otherwise discharge a final  
2 judgment rendered and entered against him relating to the registration service.

3 (g) Failure of the licensee to maintain any license or bond required by a  
4 political subdivision of this State.

5 (h) Any other reason deemed by the Director to be in the best interests of the  
6 public.

7 2. The Director may deny the issuance or renewal of a license to operate a  
8 registration service or may suspend or revoke such a license if the Department is  
9 satisfied that the applicant or licensee is not entitled thereto.

10 3. If an application for a license is denied, the applicant may not reapply  
11 sooner than 6 months after the denial.

12 **Sec. 9.** 1. If a registration service does business at more than one  
13 location, it shall designate one location in each county in which it does business  
14 to be the principal place of business for that county and one name to be the  
15 principal name of the business. The registration service shall designate all other  
16 business locations to be branches.

17 2. If a registration service changes the name or location of any of its  
18 established places of business, it shall, not later than 10 days after making the  
19 change, submit to the Department such documents relating to the change as the  
20 Department by regulation requires.

21 **Sec. 10.** 1. If a registration service has one or more branches, it shall  
22 procure from the Department a license for each branch in addition to the license  
23 issued for the principal place of business.

24 2. The Department shall specify on each license it issues:

25 (a) The name of the licensee;

26 (b) The location for which the license is issued; and

27 (c) The name under which the licensee does business at that location.

28 3. Each registration service shall post each license issued to it by the  
29 Department in a conspicuous place clearly visible to the general public at the  
30 location described in the license.

31 ~~4. The Department shall, by regulation, provide for the issuance of a~~  
32 ~~temporary license for a licensed registration service to conduct business at a~~  
33 ~~temporary location. Any such regulations must include the imposition of~~  
34 ~~a reasonable fee for the issuance of the temporary license.~~

35 **Sec. 11.** 1. The bond for the registration service required by section 5 of  
36 this act must cover the principal place of business and all branches operated by  
37 the registration service, including, without limitation, any place of business  
38 operated in this State by the registration service that is located outside the county  
39 of the principal place of business of the registration service or any place of  
40 business operated by the registration service under a different name.

41 2. In addition to the coverage provided by the bond pursuant to subsection  
42 1, the registration service shall procure a separate bond for:

43 (a) Each place of business operated in this State by the registration service  
44 that is located outside the county of the principal place of business of the  
45 registration service; and

46 (b) Each place of business operated by the registration service under a  
47 different name.

48 **Sec. 12.** ~~1.~~ If the amount of the liability under the bond required  
49 pursuant to section 5 of this act is decreased, or if there is a final court judgment  
50 arising out of a violation of any provision of this chapter for which the  
51 registration service is liable, the license of the registration service must be  
52 suspended. To reinstate a license that has been suspended pursuant to this  
53 section, the registration service must:

~~(a) 1. File an additional bond;~~  
~~(b) 2. Restore the bond on file to the original amount; or~~  
~~(c) 3. Satisfy the outstanding judgment for which the registration service and surety are liable.~~

~~2. The bond must remain in effect for not less than 3 years after the registration service ceases operating as a business.~~

**Sec. 13. 1.** A natural person who applies for the issuance or renewal of a license issued pursuant to the provisions of section 5 of this act shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Department shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Department.

3. A license may not be issued or renewed by the Department pursuant to the provisions of section 5 of this act if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 14. 1.** If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license issued pursuant to section 5 of this act, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Department shall reinstate a license issued pursuant to section 5 of this act that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 15. 1.** Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations relating to the activity of a registration service, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the fitness of the applicant or licensee

1 *for initial or continued licensure. Information obtained pursuant to such an*  
2 *authorization may be disclosed only to those employees of the Department who*  
3 *are authorized to issue a license to an applicant pursuant to section 5 of this act*  
4 *or to determine the fitness of an applicant or a licensee for such licensure.*

5 2. *Except as otherwise provided in NRS 482.555, any person who fails to*  
6 *submit an authorization for the disclosure of financial records pursuant to the*  
7 *provisions of subsection 1 is guilty of a misdemeanor.*

8 **Sec. 16.** 1. *A registration service shall maintain accurate business records*  
9 *containing:*

10 (a) *The name, address and license number of the registration service and the*  
11 *name and address of every employee who performs work relating to registration*  
12 *or title preparation;*

13 (b) *The name and address of each person who submits an application to the*  
14 *registration service pursuant to section 3 of this act;*

15 (c) *Information concerning each vehicle for which such an application is*  
16 *submitted, including, without limitation, the year, make, type, license number and*  
17 *vehicle identification number of each vehicle;*

18 (d) *The amount of fees collected pursuant to section 3 of this act and the*  
19 *method of payment used by the applicant to pay the registration service;*

20 (e) *The amount of fees remitted to the Department pursuant to section 3 of*  
21 *this act and the date and method of payment used by the registration service to*  
22 *remit such fees; and*

23 (f) *The name, signature or initials of each employee who processed any*  
24 *transaction for the registration service and the date on which the transaction was*  
25 *processed.*

26 2. *Upon completion of a transaction, the registration service shall provide*  
27 *the client with a document containing all the information required by subsection*  
28 *1 concerning the registration of or title preparation for his vehicle except that the*  
29 *registration service shall not disclose the information included in paragraph (f)*  
30 *or the addresses of employees or the names and addresses of other clients.*

31 3. *The business records required to be maintained pursuant to this section*  
32 *must be maintained for at least 4 years and must be open to inspection by the*  
33 *Department during normal business hours.*

34 4. *The Department may duplicate or make a record of any information*  
35 *contained in any of the records required in this section.*

36 **Sec. 17.** *If a registration service ceases to operate as a business for any*  
37 *reason, the licensee shall notify the Department, as soon as reasonably*  
38 *practicable, but not later than 3 business days, and, within 30 days after the*  
39 *notification, deliver to the Department:*

40 1. *The license to operate the registration service;*

41 2. *All records maintained pursuant to section 16 of this act;*

42 3. *All records of transactions in his possession, including, without*  
43 *limitation, any fees or receipts for fees owed to the Department or to a client; and*

44 4. *Any other document or item over which the Department has jurisdiction,*  
45 *including, without limitation, license plates and decals.*

46 **Sec. 18.** *NRS 482.010 is hereby amended to read as follows:*

47 482.010 *As used in this chapter, unless the context otherwise requires, the*  
48 *words and terms defined in NRS 482.0105 to 482.137, inclusive, and section 2 of*  
49 *this act have the meanings ascribed to them in those sections.*

50 **Sec. 19.** *NRS 482.175 is hereby amended to read as follows:*

51 482.175 *The Department and the officers and deputies thereof, [and]*  
52 *registered dealers and registration services shall examine, and to the best of their*  
53 *ability determine the genuineness and regularity of, every registration and transfer*

of registration of a vehicle as provided in this chapter, in order that every certificate issued for a vehicle must contain true statements of the ownership thereof, and to prevent the registration of a vehicle by any person not entitled thereto. The Department, ~~for~~ a registered dealer *or a registration service* may require any applicant to furnish such information in addition to that contained in the application as may be necessary to satisfy the Department of the truth and regularity of the application.

**Sec. 20.** NRS 482.205 is hereby amended to read as follows:

482.205 Except as otherwise provided in this chapter, every owner of a motor vehicle, trailer or semitrailer intended to be operated upon any highway in this State shall, before the motor vehicle, trailer or semitrailer can be operated, apply to the Department, ~~for~~ a registered dealer *or a registration service* for and obtain the registration thereof.

**Sec. 21.** NRS 482.206 is hereby amended to read as follows:

482.206 1. Except as otherwise provided in this section, every motor vehicle, except for a motor vehicle that is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive, or which is a motor vehicle with a declared gross weight in excess of 26,000 pounds, must be registered for a period of 12 consecutive months beginning the day after the first registration by the owner in this State.

2. Every vehicle registered by an agent of the Department, ~~for~~ a registered dealer *or a registration service* must be registered for 12 consecutive months beginning the first day of the month after the first registration by the owner in this State.

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

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

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

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

**Sec. 22.** NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except applications for renewal of registration, must be made as provided in this section.

2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer ~~for~~ *or registration service*.

3. Each application must be made upon the appropriate form furnished by the Department and contain:

(a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable.

(b) His residential address.

(c) His declaration of the county where he intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid.



(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle.

(e) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5, a declaration signed by the applicant that he has provided the insurance required by NRS 485.185 and will maintain the insurance during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this paragraph.

(f) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance:

(1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance;

(2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle and indicates, at the time of application for registration, coverage which meets the requirements of NRS 485.185; or

(3) In another form satisfactory to the Department.

➤ The Department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of the applicant's compliance with controls over emission.

4. The application must contain such other information as is required by the Department, ~~for~~ registered dealer *or registration service* and must be accompanied by proof of ownership satisfactory to the Department.

5. For purposes of the evidence required by paragraph (f) of subsection 3:

(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file evidence of that insurance.

**Sec. 23.** NRS 482.230 is hereby amended to read as follows:

482.230 The Department, ~~for~~ a registered dealer *or a registration service* shall not grant an application for the registration of a vehicle in any of the following events:

1. When the applicant therefor is not entitled thereto pursuant to the provisions of this chapter.

2. When the applicant has neglected or refused to furnish the Department, ~~for~~ registered dealer *or registration service* with the information required in the appropriate official form or reasonable additional information required by the Department, ~~for~~ registered dealer ~~for~~ *or registration service*.

3. When the fees required therefor by law have not been paid.

**Sec. 24.** NRS 482.235 is hereby amended to read as follows:

482.235 1. The Department shall file each application received and register the vehicle therein described and the owner thereof in suitable books or on index cards as follows:

(a) Under a distinctive registration number assigned to the vehicle and to the owner thereof, referred to in this chapter as the registration number.

(b) Alphabetically under the name of the owner.

(c) Numerically under the serial or vehicle identification number of the vehicle or a permanent identifying number, as may be determined by the Department.

2. A registered dealer *or a registration service* who registers a vehicle shall assign a registration number for that vehicle according to a list of registration numbers issued by the Department for use by that dealer ~~or a registration service~~ *or a registration service*.

**Sec. 25.** NRS 482.240 is hereby amended to read as follows:

482.240 1. Upon the registration of a vehicle, the Department, ~~for~~ a registered dealer *or a registration service* shall issue a certificate of registration to the owner.

2. When an applicant for registration or transfer of registration is unable, for any reason, to submit to the Department in support of the application for registration, or transfer of registration, such documentary evidence of legal ownership as, in the opinion of the Department, is sufficient to establish the legal ownership of the vehicle concerned in the application for registration or transfer of registration, the Department may issue to the applicant only a certificate of registration.

3. The Department may, upon proof of ownership satisfactory to it, issue a certificate of title before the registration of the vehicle concerned. The certificate of registration issued pursuant to this chapter is valid only during the registration period or calendar year for which it is issued, and a certificate of title is valid until cancelled by the Department upon the transfer of interest therein.

**Sec. 26.** NRS 482.260 is hereby amended to read as follows:

482.260 1. When registering a vehicle, the Department, ~~and~~ its agents, ~~for~~ a registered dealer *or a registration service* shall:

(a) Collect the fees for license plates and registration as provided for in this chapter.

(b) Except as otherwise provided in NRS 482.321, collect the governmental services tax on the vehicle, as agent for the county where the applicant intends to base the vehicle for the period of registration, unless the vehicle is deemed to have no base.

(c) Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.

(d) Issue a certificate of registration.

(e) If the registration is performed by the Department, issue the regular license plate or plates.

(f) If the registration is performed by a registered dealer ~~or a registration service~~ *or a registration service*, provide information to the owner regarding the manner in which the regular license plate or plates will be made available to him.

2. Upon proof of ownership satisfactory to the Director, he shall cause to be issued a certificate of title as provided in this chapter.

3. Except as otherwise provided in NRS 371.070, every vehicle being registered for the first time in Nevada must be taxed for the purposes of the governmental services tax for a 12-month period.

4. The Department shall deduct and withhold 2 percent of the taxes collected pursuant to paragraph (c) of subsection 1 and remit the remainder to the Department of Taxation.

5. A registered dealer *or registration service* shall forward all fees and taxes collected for the registration of vehicles to the Department.

**Sec. 27.** NRS 482.280 is hereby amended to read as follows:

482.280 1. The registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. The Department shall mail to each holder of a certificate of registration an application for renewal of registration for the following period of registration. The applications must be mailed by the Department in sufficient time to allow all applicants to mail the applications to the Department and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the application to any agent or office of the Department ~~or to a registration service.~~

2. An application:

(a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section;

(b) Submitted to the Department pursuant to NRS 482.294; ~~for~~

(c) *Presented or submitted to a registration service pursuant to section 3 of this act; or*

(d) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281,

must include, if required, evidence of compliance with standards for control of emissions.

3. The Department shall insert in each application mailed pursuant to subsection 1:

(a) The amount of the governmental services tax to be collected for the county pursuant to the provisions of NRS 482.260.

(b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484.444.

(c) A statement which informs the applicant that, pursuant to NRS 485.185, he is legally required to maintain insurance during the period in which the motor vehicle is registered.

4. An owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration.

**Sec. 28.** NRS 482.285 is hereby amended to read as follows:

482.285 1. If any certificate of registration or certificate of title is lost, mutilated or illegible, the person to whom it was issued shall immediately make application for and obtain a duplicate or substitute therefor upon furnishing information satisfactory to the Department *or a registration service* and upon payment of the required fees.

2. If any license plate or plates or any decal is lost, mutilated or illegible, the person to whom it was issued shall immediately make application for and obtain:

(a) A duplicate number plate or a substitute number plate;

(b) A substitute decal; or

(c) A combination of both (a) and (b),

☞ as appropriate, upon furnishing information satisfactory to the Department *or a registration service* and payment of the fees required by NRS 482.500.

3. If any license plate or plates or any decal is stolen, the person to whom it was issued shall immediately make application for and obtain:

(a) A substitute number plate;

(b) A substitute decal; or

(c) A combination of both (a) and (b),

☞ as appropriate, upon furnishing information satisfactory to the Department *or a registration service* and payment of the fees required by NRS 482.500.

4. The Department shall issue duplicate number plates or substitute number plates and, if applicable, a substitute decal, if the applicant:

(a) Returns the mutilated or illegible plates to the Department or signs a declaration that the plates were lost, mutilated or illegible; and

(b) Complies with the provisions of subsection 6.

5. The Department shall issue substitute number plates and, if applicable, a substitute decal, if the applicant:

(a) Signs a declaration that the plates were stolen; and

(b) Complies with the provisions of subsection 6.

6. Except as otherwise provided in this subsection, an applicant who desires duplicate number plates or substitute number plates must make application for renewal of registration. Credit must be allowed for the portion of the registration fee and governmental services tax attributable to the remainder of the current registration period. In lieu of making application for renewal of registration, an applicant may elect to make application solely for:

(a) Duplicate number plates or substitute number plates, and a substitute decal, if the previous license plates were lost, mutilated or illegible; or

(b) Substitute number plates and a substitute decal, if the previous license plates were stolen.

7. An applicant who makes the election described in subsection 6 retains his current date of expiration for the registration of the applicable vehicle and is not, as a prerequisite to receiving duplicate number plates or substitute number plates or a substitute decal, required to:

(a) Submit evidence of compliance with controls over emission; or

(b) Pay the registration fee and governmental services tax attributable to a full 12-month period of registration.

**Sec. 29.** NRS 482.293 is hereby amended to read as follows:

482.293 1. The Department may establish a program for the electronic submission and storage of documents.

2. If the Department establishes a program pursuant to subsection 1:

(a) An electronic submission or storage of documents that is carried out pursuant to the program with respect to a particular transaction is not valid unless all original documents required for the transaction pursuant to:

(1) The provisions of 49 U.S.C. §§ 32701 et seq.; and

(2) The provisions of any regulations adopted pursuant thereto,

☞ have been executed and submitted to the Department.

(b) The Department shall allow only the following persons to apply for participation in the program:

(1) Financial institutions, new vehicle dealers, ~~and~~ used vehicle dealers ~~and~~ *and registration services*, for the purpose of submitting documents by electronic means to the Department on behalf of their customers.

(2) Owners of fleets composed of 10 or more vehicles.

(c) The Department shall adopt regulations to carry out the program.  
3. The regulations required to be adopted pursuant to paragraph (c) of subsection 2 must include, without limitation:

(a) The type of electronic transmission that the Department will accept for the program.

(b) The process for submission of an application by a person who desires to participate in the program and the fee, if any, that must accompany the application for participation.

(c) The criteria that will be applied by the Department in determining whether to approve an application to participate in the program.

(d) The standards for ensuring the security and integrity of the process for issuance and renewal of a certificate of registration and a certificate of title, including, without limitation, the procedure for a financial and performance audit of the program.

(e) The terms and conditions for participation in the program and any restrictions on the participation.

(f) The contents of a written agreement that must be on file with the Department before a participant may submit a document by electronic means to the Department. Such written agreement must include, without limitation:

(1) An assurance that each document submitted by electronic means contains all the information that is necessary to complete the transaction for which the document is submitted;

(2) Certification that all the information contained in each document that is submitted by electronic means is truthful and accurate;

(3) An assurance that the participant who submits a document by electronic means will maintain all information and records that are necessary to support the document; and

(4) The signature of the participant who files the written agreement with the Department.

(g) The conditions under which the Department may revoke the approval of a person to participate in the program, including, without limitation, failure to comply with this section and NRS 482.294 and the regulations adopted pursuant thereto.

(h) The method by which the Department will store documents that are submitted to it by electronic means.

(i) The required technology that is necessary to carry out the program.

(j) Any other regulations that the Department determines necessary to carry out the program.

(k) Procedures to ensure compliance with:

(1) The provisions of 49 U.S.C. §§ 32701 et seq.; and

(2) The provisions of any regulations adopted pursuant thereto,

to the extent that such provisions relate to the submission and retention of documents used for the transfer of the ownership of vehicles.

4. The Department may accept gifts and grants from any source, including, without limitation, donations of materials, equipment and labor, for the establishment and maintenance of a program pursuant to this section.

**Sec. 30.** NRS 482.294 is hereby amended to read as follows:

482.294 1. If the Department approves an application for a person to participate in a program established pursuant to NRS 482.293, that participant may submit, by electronic means, a document that is required to be submitted pursuant to this chapter for the issuance or renewal of a certificate of registration or a certificate of title.

2. If the signature of a natural person is required pursuant to this chapter on a document that is submitted by electronic means, the Department may waive that requirement:

(a) In the case of a participant who is a financial institution, new vehicle dealer, ~~or~~ used vehicle dealer ~~or~~ *or registration service*, if the participant who submitted the document on behalf of that person complies with all requirements of this program.

(b) In the case of a participant who is an owner of a fleet composed of 10 or more vehicles, if the participant complies with all requirements of this program.

3. Notwithstanding any other provision of law to the contrary, a document that is submitted by electronic means pursuant to subsection 1, if accepted by the Department, shall be deemed an original document in administrative proceedings, quasi-judicial proceedings and judicial proceedings.

**Sec. 31.** NRS 482.295 is hereby amended to read as follows:

482.295 The Department, ~~or~~ a registered dealer *or a registration service* shall not register a vehicle intended to be leased by a short-term lessor until the owner demonstrates to the Department his financial ability to respond to damages by providing evidence of insurance as that term is defined in NRS 485.034.

**Sec. 32.** 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, 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 ~~or~~ *or registration service*, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete.

3. In computing the governmental services tax, the Department, its agent, ~~or~~ the registered dealer *or the registration service* shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year 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 *or registration service* 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 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. In computing the registration fee, the Department, ~~or~~ its agent, ~~or~~ the registered dealer *or the registration service* shall credit the portion of the

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

4 5. If the amount owed on the registration fee or governmental services tax on  
5 the vehicle to which registration is transferred is less than the credit on the total  
6 registration fee or governmental services tax paid on all vehicles from which a  
7 person transfers his ownership or interest, no refund may be allowed by the  
8 Department.

9 6. If the license plate or plates are not appropriate for the second vehicle, the  
10 plate or plates must be surrendered to the Department, ~~for~~ registered dealer *or*  
11 *registration service* and an appropriate plate or plates must be issued by the  
12 Department. The Department shall not reissue the surrendered plate or plates until  
13 the next succeeding licensing period.

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

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

23 9. The Department shall issue a refund pursuant to subsection 8 only if the  
24 request for a refund is made at the time the registration is cancelled and the license  
25 plates are surrendered, the person requesting the refund is a resident of Nevada, the  
26 amount eligible for refund exceeds \$100 ~~+~~ and evidence satisfactory to the  
27 Department is submitted that reasonably proves the existence of extenuating  
28 circumstances. For the purposes of this subsection, the term "extenuating  
29 circumstances" means circumstances wherein:

30 (a) The person has recently relinquished his driver's license and has sold or  
31 otherwise disposed of his vehicle.

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

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

36 (d) Any other event occurs which the Department, by regulation, has defined to  
37 constitute an "extenuating circumstance" for the purposes of this subsection.

38 **Sec. 33.** Section 5 of this act is hereby amended to read as follows:

39 Sec. 5. A person may apply for a license to operate a registration  
40 service by filing an application on a form supplied by the Department. The  
41 form must identify the persons whose names are required to appear thereon.  
42 The application must include, without limitation:

43 1. The name and address of the principal place of business of the  
44 applicant and any branch locations;

45 2. Such proof as the Department deems necessary to establish that  
46 the applicant has the necessary equipment to operate a registration service;

47 3. A complete set of fingerprints of any person whose name is  
48 required to appear on the application and written permission authorizing the  
49 Department to forward those fingerprints to the Central Repository for  
50 Nevada Records of Criminal History for submission to the Federal Bureau  
51 of Investigation for its report;

52 4. A complete set of fingerprints of any employee of the registration  
53 service who will have access to electronic transmissions pursuant to NRS

482.293 and 482.294 and written permission authorizing the Department to forward those fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report;

5. A fee for the processing of fingerprints as established by regulation which must not exceed the sum of the amounts charged by the Central Repository and the Federal Bureau of Investigation for processing the fingerprints; **and**

6. A bond executed by an admitted surety company. ~~[- and~~

~~7. If the applicant is a natural person, the statement required pursuant to section 13 of this act.]~~

**Sec. 34.** Section 6 of this act is hereby amended to read as follows:

Sec. 6. A license issued pursuant to section 5 of this act expires 1 year after the date on which it was issued. The license may be renewed annually upon the payment of a fee established by regulation pursuant to section 7 of this act. ~~[If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to section 13 of this act.]~~ The renewal application form must be provided by the Department and contain the information required by the Department.

**Sec. 34.5. 1. The Department of Motor Vehicles may, by regulation, establish a pilot program for registration services. The regulations must include the number of persons who will participate in the program.**

**2. If the Department establishes a pilot program, the Department shall, not later than January 1, 2009, submit a report concerning the pilot program to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. The report must include, without limitation, the status of the program and any recommendations concerning the program.**

**Sec. 35. 1.** This section and sections 1 to 32, inclusive, **and 34.5** of this act become effective on July 1, 2007.

2. Sections 5, 6 and 13 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

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

(b) Are in arrears in the payment of the support of one or more children, **↪** are repealed by the Congress of the United States.

3. Sections 33 and 34 of this act become effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

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

(b) Are in arrears in the payment of the support of one or more children, **↪** are repealed by the Congress of the United States.

**4. Section 34.5 of this act expires by limitation on June 30, 2009.**