

Assembly Bill No. 455—Assemblymen Woodbury, Hardy; Aizley, Atkinson, Carpenter, Christensen, Claborn, Cobb, Denis, Gansert, Goedhart, Goicoechea, Grady, Hambrick, Manendo, Spiegel and Stewart

Joint Sponsor: Senator Cegavske

CHAPTER.....

AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to enter into agreements that authorize certain common, contract and private motor carriers and certain businesses or organizations to register motor vehicles without applying to the Department and to issue motor vehicle registration credentials on behalf of the Motor Carrier Division of the Department; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

This bill authorizes the Department of Motor Vehicles to enter into agreements with common, contract and private motor carriers and with businesses or organizations to authorize the motor carriers, businesses and organizations to register vehicles and renew and transfer registrations without applying to the Department. The agreements also authorize the motor carriers, businesses and organizations to issue registration credentials on behalf of the Motor Carrier Division of the Department. Any such carrier, business or organization is required to file a surety bond with the Department before registering any vehicles. This bill also requires the owners of certain motortrucks, truck-tractors and buses to maintain books, papers or records as required by the Department and authorizes the Department to revoke or refuse to grant the authority to register or transfer or renew registrations, to revoke licenses and to deny certain apportioning privileges for carriers, businesses and organizations that fail in those duties. **Sections 2 and 3** of this bill apply to motor carriers operating exclusively within the State, and **sections 5 and 6** of this bill apply to interstate motor carriers.

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

**Section 1.** Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1. *Upon the request of a motor carrier or a service provider, the Department may enter into an agreement with the motor carrier or service provider which authorizes the motor carrier or service provider:***

***(a) Without applying to the Department, to register or transfer or renew the registration of any vehicle:***

***(1) Owned solely by the motor carrier or service provider;***  
***or***



(2) Leased solely by the motor carrier or service provider, if the lease is a long-term lease; and

(b) To issue registration credentials on behalf of the Motor Carrier Division of the Department for any vehicle registered pursuant to paragraph (a) and for any vehicle with a registration that has been renewed or transferred pursuant to paragraph (a).

2. Before registering or transferring or renewing the registration of any vehicle pursuant to subsection 1:

(a) A motor carrier who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$25,000; and

(b) A service provider who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$50,000.

3. If a motor carrier or service provider provides a savings certificate, certificate of deposit or investment certificate pursuant to NRS 100.065 in lieu of the bond required pursuant to subsection 2, the certificate must state that the amount is not available for withdrawal except upon the approval of the Director.

4. If at any time a motor carrier or service provider is unable to account for an unissued license plate or decal, the motor carrier or service provider must immediately pay to the Department an amount established by the Department.

5. The Director shall adopt such regulations as are necessary to carry out the provisions of this section.

6. As used in this section:

(a) "Long-term lease" means a lease for a fixed period of more than 31 days.

(b) "Motor carrier" means a common, contract or private motor carrier registered through the Motor Carrier Division of the Department.

(c) "Registration credentials" includes, without limitation, license plates, registration cab cards, decals and temporary authority permits.

(d) "Service provider" means a business or organization authorized by the Department to register or transfer or renew the registration of vehicles on behalf of motor carriers.

Sec. 3. 1. Any person who is the owner of a vehicle described in subsection 1 of NRS 482.482 shall maintain books,



*papers and records as required by the Department for the 36 months following the year for which the vehicle is registered. The books, papers and records must be made available for inspection by the Department during normal business hours.*

*2. For any person who fails to maintain books, papers or records as required pursuant to subsection 1, the Department may:*

*(a) Revoke or refuse to grant the authority to register or transfer or renew registrations granted pursuant to section 2 of this act; and*

*(b) Revoke any license of the person issued by the Department pursuant to this chapter.*

**Sec. 4.** NRS 482.205 is hereby amended to read as follows:

482.205 Except as otherwise provided in this chapter **H** *and section 5 of this act*, 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 or a registered dealer for and obtain the registration thereof.

**Sec. 5.** Chapter 706 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Upon the request of a motor carrier or a service provider, the Department may enter into an agreement with the motor carrier or service provider which authorizes the motor carrier or service provider:*

*(a) Without applying to the Department, to register or transfer or renew the registration of any vehicle:*

*(1) Owned solely by the motor carrier or service provider;*  
*or*

*(2) Leased solely by the motor carrier or service provider, if the lease is a long-term lease; and*

*(b) To issue registration credentials on behalf of the Motor Carrier Division of the Department for any vehicle registered pursuant to paragraph (a) and for any vehicle with a registration that has been renewed or transferred pursuant to paragraph (a).*

*2. Before registering or transferring or renewing the registration of any vehicle pursuant to subsection 1:*

*(a) A motor carrier who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$25,000; and*

*(b) A service provider who enters into an agreement with the Department pursuant to this section shall file with the Department*



*a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$50,000.*

*3. If a motor carrier or service provider provides a savings certificate, certificate of deposit or investment certificate pursuant to NRS 100.065 in lieu of the bond required pursuant to subsection 2, the certificate must state that the amount is not available for withdrawal except upon the approval of the Director of the Department.*

*4. If at any time a motor carrier or service provider is unable to account for an unissued license plate or decal, the motor carrier or service provider must immediately pay to the Department an amount established by the Department.*

*5. The Director of the Department shall adopt such regulations as are necessary to carry out the provisions of this section.*

*6. As used in this section:*

*(a) "Lease" has the meaning ascribed to it in 482.053.*

*(b) "Long-term lease" means a lease for a fixed period of more than 31 days.*

*(c) "Motor carrier" means a common, contract or private motor carrier registered through the Motor Carrier Division of the Department.*

*(d) "Registration credentials" includes, without limitation, license plates, registration cab cards, decals and temporary authority permits.*

*(e) "Service provider" means a business or organization authorized by the Department to register or transfer or renew the registration of vehicles on behalf of motor carriers.*

**Sec. 6.** NRS 706.196 is hereby amended to read as follows:

706.196 1. The Department may require such reports and the maintenance of such books, papers and records as it determines necessary for the administration and enforcement of this chapter , ~~and~~ NRS 484.739 ~~and~~ **and section 5 of this act.**

2. Any person whose vehicles are registered with the Department pursuant to NRS 706.801 to 706.861, inclusive, shall maintain the books, papers and records required to be maintained by the Department pursuant to subsection 1 for the 36 months following the year for which the vehicles are registered. The books, papers and records must be made available for inspection by the Department during normal business hours.



*3. For any person who fails to report or to maintain books, papers or records as required pursuant to subsection 2, the Department may:*

*(a) Revoke or refuse to grant the authority to register or transfer or renew registrations granted pursuant to section 5 of this act;*

*(b) Deny the person the right to apportion fees pursuant to NRS 706.801 to 706.861, inclusive; and*

*(c) Revoke any license of the person issued by the Department pursuant to chapter 482 of NRS.*

**Sec. 7.** This act becomes effective on January 1, 2010.

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