

Amendment No. 800

Assembly Amendment to Senate Bill No. 312 First Reprint (BDR 43-286)

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

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 dashed underlining* is newly added transitory language.

HAC/MSM



Date: 5/17/2009

S.B. No. 312—Revises provisions governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles. (BDR 43-286)



SENATE BILL NO. 312—SENATOR MATHEWS

MARCH 16, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Revises provisions governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles. (BDR 43-286)

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 governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires every owner of a motor vehicle which is registered or required to be registered in this State to continuously provide insurance for the payment of tort liabilities arising from the maintenance or use of the motor vehicle. (NRS 485.185) Existing law also requires the Department of Motor Vehicles to create a system to verify that owners of motor vehicles, other than golf carts and larger motortrucks, truck tractors and buses, maintain the required liability insurance. (NRS 485.130, 485.313) **Section 4** of this bill adds provisions: (1) requiring the Department to work in cooperation with insurers to develop the system; (2) requiring that the verification be conducted through the secure transmission and receipt of information necessary to verify that owners of motor vehicles maintain the required liability insurance; (3) authorizing the Department to contract with any person to provide services relating to the system; ~~and~~ (4) **requiring the Director of the Department to adopt certain regulations; and** (5) making the system applicable to **certain vehicles that are part of a fleet and** all motortrucks, truck tractors and buses.

If the Department determines that a motor vehicle is not covered by a policy of liability insurance, existing law requires the Department to send a form for verification of liability insurance to the owner of the vehicle. **Section 7** of this bill amends the provisions relating to the Department's process for verifying whether the owner of the vehicle maintains liability insurance. (NRS 485.317)

Existing law provides that an owner of certain motor vehicles who provides proof of liability insurance provided by an insurance company that is not approved to do business in this State may register the motor vehicle and have 7 calendar days to provide proof of liability by an insurance company that is licensed and approved to do business in this State. (NRS 482.215) **Section 2** of this bill removes the provision allowing an owner 7 calendar days to provide proof of liability insurance by an insurance company that is licensed and approved to do business in this State. Existing law further provides that the owner of a fleet of motor vehicles and certain other motor vehicles must provide evidence of liability insurance on a form that is satisfactory to the Department. (NRS 482.215) **Section 2** specifies that such liability insurance must be provided by an insurance company licensed and approved to do business in this State. **Section 5** of this bill deletes provisions of existing law that prescribe the

specific form and content of the records of motor vehicle liability policies which insurers must provide to the Department. (NRS 485.314)

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

Section 1. NRS 481.063 is hereby amended to read as follows:

481.063 1. The Director may charge and collect reasonable fees for official publications of the Department and from persons making use of files and records of the Department or its various divisions for a private purpose. All money so collected must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. Except as otherwise provided in subsection 5, the Director may release personal information, except a photograph, from a file or record relating to the driver's license, identification card, or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the Director.

3. Except as otherwise provided in subsection 2, the Director shall not release to any person who is not a representative of the Division of Welfare and Supportive Services of the Department of Health and Human Services or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415, 253.044 or 253.220, who is not authorized to transact insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable, provide the requester with the requested information if the requester officially reports that the motor vehicle bearing that license plate was used in a violation of NRS 205.240, 205.345, 205.380 or 205.445.

4. Except as otherwise provided in subsections 2 and 5, the Director shall not release any personal information from a file or record relating to a driver's license, identification card, or title or registration of a vehicle.

5. Except as otherwise provided in paragraph (a) and subsection 6, if a person or governmental entity provides a description of the information requested and its proposed use and signs an affidavit to that effect, the Director may release any personal information, except a photograph, from a file or record relating to a driver's license, identification card, or title or registration of a vehicle for use:

(a) By any governmental entity, including, but not limited to, any court or law enforcement agency, in carrying out its functions, or any person acting on behalf of

1 a federal, state or local governmental agency in carrying out its functions. The
2 personal information may include a photograph from a file or record relating to a
3 driver's license, identification card, or title or registration of a vehicle.

4 (b) In connection with any civil, criminal, administrative or arbitration
5 proceeding before any federal or state court, regulatory body, board, commission or
6 agency, including, but not limited to, use for service of process, investigation in
7 anticipation of litigation, and execution or enforcement of judgments and orders, or
8 pursuant to an order of a federal or state court.

9 (c) In connection with matters relating to:

- 10 (1) The safety of drivers of motor vehicles;
11 (2) Safety and thefts of motor vehicles;
12 (3) Emissions from motor vehicles;
13 (4) Alterations of products related to motor vehicles;
14 (5) An advisory notice relating to a motor vehicle or the recall of a motor
15 vehicle;
16 (6) Monitoring the performance of motor vehicles;
17 (7) Parts or accessories of motor vehicles;
18 (8) Dealers of motor vehicles; or
19 (9) Removal of nonowner records from the original records of motor
20 vehicle manufacturers.

21 (d) By any insurer, self-insurer or organization that provides assistance or
22 support to an insurer or self-insurer or its agents, employees or contractors, in
23 connection with activities relating to the rating, underwriting or investigation of
24 claims or the prevention of fraud.

25 (e) In providing notice to the owners of vehicles that have been towed,
26 repossessed or impounded.

27 (f) By an employer or its agent or insurer to obtain or verify information
28 relating to a holder of a commercial driver's license who is employed by or has
29 applied for employment with the employer.

30 (g) By a private investigator, private patrolman or security consultant who is
31 licensed pursuant to chapter 648 of NRS, for any use permitted pursuant to this
32 section.

33 (h) By a reporter or editorial employee who is employed by or affiliated with
34 any newspaper, press association or commercially operated, federally licensed radio
35 or television station for a journalistic purpose. The Department may not make any
36 inquiries regarding the use of or reason for the information requested other than
37 whether the information will be used for a journalistic purpose.

38 (i) In connection with an investigation conducted pursuant to NRS 253.0415,
39 253.044 or 253.220.

40 (j) In activities relating to research and the production of statistical reports, if
41 the personal information will not be published or otherwise rediscovered, or used to
42 contact any person.

43 (k) In the bulk distribution of surveys, marketing material or solicitations, if the
44 Director has adopted policies and procedures to ensure that:

45 (1) The information will be used or sold only for use in the bulk
46 distribution of surveys, marketing material or solicitations;

47 (2) Each person about whom the information is requested has clearly been
48 provided with an opportunity to authorize such a use; and

49 (3) If the person about whom the information is requested does not
50 authorize such a use, the bulk distribution will not be directed toward that person.

51 6. Except as otherwise provided in paragraph (j) of subsection 5, a person
52 who requests and receives personal information may sell or disclose that

information only for a use permitted pursuant to subsection 5. Such a person shall keep and maintain for 5 years a record of:

(a) Each person to whom the information is provided; and

(b) The purpose for which that person will use the information.

➤ The record must be made available for examination by the Department at all reasonable times upon request.

7. Except as otherwise provided in subsection 2, the Director may deny any use of the files and records if he reasonably believes that the information taken may be used for an unwarranted invasion of a particular person's privacy.

8. Except as otherwise provided in NRS 485.316, the Director shall not allow any person to make use of information retrieved from the ~~{database}~~ system created pursuant to NRS 485.313 for a private purpose and shall not in any other way release any information retrieved from that ~~{database.}~~ system.

9. The Director shall adopt such regulations as he deems necessary to carry out the purposes of this section. In addition, the Director shall, by regulation, establish a procedure whereby a person who is requesting personal information may establish an account with the Department to facilitate his ability to request information electronically or by written request if he has submitted to the Department proof of his employment or licensure, as applicable, and a signed and notarized affidavit acknowledging:

(a) That he has read and fully understands the current laws and regulations regarding the manner in which information from the Department's files and records may be obtained and the limited uses which are permitted;

(b) That he understands that any sale or disclosure of information so obtained must be in accordance with the provisions of this section;

(c) That he understands that a record will be maintained by the Department of any information he requests; and

(d) That he understands that a violation of the provisions of this section is a criminal offense.

10. It is unlawful for any person to:

(a) Make a false representation to obtain any information from the files or records of the Department.

(b) Knowingly obtain or disclose any information from the files or records of the Department for any use not permitted by the provisions of this chapter.

11. As used in this section, "personal information" means information that reveals the identity of a person, including, without limitation, his photograph, social security number, driver's license number, identification card number, name, address, telephone number or information regarding a medical condition or disability. The term does not include the zip code of a person when separate from his full address, information regarding vehicular accidents or driving violations in which he has been involved or other information otherwise affecting his status as a driver.

Sec. 2. 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.

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:

(1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle ~~[-and if the insurance is not-]~~ provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185 ; ~~[-the applicant must meet the requirements of NRS 485.185 within 7 calendar days;-]~~ and

(2) A declaration signed by the applicant that he will maintain the insurance required by NRS 485.185 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 ~~[-]~~ *provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185;*

(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 or registered dealer 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. 3. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33.

2. Except as otherwise provided in subsection 3:

(a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50.

(b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12.

(c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8.

3. The fees specified in subsection 2 do not apply:

(a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all ~~to~~ the cars registered to him.

(b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State Highway Fund for credit to the Account for the Program for the Education of Motorcycle Riders.

5. For each transfer of registration, a fee of \$6 in addition to any other fees.

6. Except as otherwise provided in subsection ~~6~~ 7 of NRS 485.317, to reinstate the registration of a motor vehicle *that is* suspended pursuant to that section:

(a) A fee of \$250 for a registered owner who failed to have insurance on the date specified ~~[in the form for verification that was mailed]~~ by the Department ; ~~[pursuant to subsection 3 of NRS 485.317;]~~ or

(b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320,

— both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

7. For every travel trailer, a fee for registration of \$27.

8. For every permit for the operation of a golf cart, an annual fee of \$10.

9. For every low-speed vehicle, as that term is defined in NRS 484.527, a fee for registration of \$33.

10. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451, a fee of \$33.

Sec. 4. NRS 485.313 is hereby amended to read as follows:

1. The Department ~~[shall]~~ :

(a) *Shall, in cooperation with insurers, create a system for verifying through the secure transmission and receipt of information that the owners of motor vehicles maintain the insurance required by NRS 485.185 ~~to~~; and*

(b) *May enter into a contract with any person to provide services relating to the system.*

2. *The Director shall adopt regulations to carry out the provisions of this section, including, without limitation, regulations for verifying that registered owners described in paragraph (b) of subsection 5 of NRS 482.215 maintain the insurance required by NRS 485.185.*

3. As used in this section, "motor vehicle" ~~{does}~~ :

(a) ~~Does~~ not include ~~f~~ :

~~(a) A~~ a golf cart as that term is defined in NRS 482.044.

(b) *Includes, without limitation:*

(1) A motortruck, truck tractor, bus or other vehicle that is registered pursuant to paragraph (c) of subsection 1 of NRS 482.482 or NRS 706.801 to 706.861, inclusive.

(2) A vehicle that is registered as part of a fleet of vehicles and described in paragraph (b) of subsection 5 of NRS 482.215.

Sec. 5. NRS 485.314 is hereby amended to read as follows:

485.314 1. ~~{On or before the 15th calendar day of each month, each}~~ *Each* insurer that has executed a contract of insurance for a motor vehicle liability policy which may be used to meet the requirements of NRS 485.185 shall ~~{provide the Department with}~~ *maintain* a record of each such policy ~~{issued, amended or terminated in the previous month on the date the record is provided. The record must include:~~

~~—(a) The name or identification number of each insured named in the policy of insurance;~~

~~—(b) The make, year and vehicle identification number of each motor vehicle included in the policy of insurance;~~

~~—(c) The number, effective date and expiration date of the policy of insurance; and~~

~~—(d) Any other information required by the Department.~~

~~2. The record provided pursuant to subsection 1 must be submitted} in a {form} format approved by the Department and {may include, without limitation, magnetic tape or any other electronic medium deemed acceptable by the Department.~~

~~3.} provide the Department with access to the record.~~

2. The Department shall notify the Commissioner of Insurance if an insurer:

(a) Fails to comply with subsection 1 ; ~~{or 2;}~~ or

(b) In complying with subsection 1 , ~~{or 2,}~~ provides to the Department information that is false, incomplete or misleading.

Sec. 6. NRS 485.316 is hereby amended to read as follows:

485.316 1. Except as otherwise provided in ~~{subsections}~~ *subsection 2 {and 3}* and NRS 239.0115, information which is maintained in the ~~{database}~~ *system* created pursuant to NRS 485.313 is confidential.

2. The Department may only disclose information which is maintained in the ~~{database, upon request, to a}~~ *system to:*

(a) A state or local governmental agency for the purpose of enforcing NRS 485.185, including investigating or litigating a violation or alleged violation ~~f~~;

~~3. The Department may only disclose information retrieved from the database to:~~

~~—(a)};~~

(b) *An authorized insurer;*

(c) *A person:*

(1) With whom the Department has contracted to provide services relating to the system created pursuant to NRS 485.313; and

(2) To whom the information is disclosed only pursuant to a nondisclosure or confidentiality agreement which relates to the information;

(d) A person who requests information regarding his own status;
~~(b)~~ (e) The parent or legal guardian of the person about whom the information is requested if the person is an unemancipated minor or legally incapacitated;

~~(e)~~ (f) A person who has a power of attorney from the person about whom the information is requested;

~~(d)~~ (g) A person who submits a notarized release from the person about whom the information is requested which is dated no more than 90 days before the date of the request; or

~~(e)~~ (h) A person who has suffered a loss or injury in an accident involving a motor vehicle, or his authorized insurer or a representative of his authorized insurer, who requests:

(1) Information for use in the accident report; and

(2) For each motor vehicle involved in the accident:

(I) The name and address of each registered owner;

(II) The name of the insurer; and

(III) The number of the policy of liability insurance.

~~(4)~~ 3. A person who knowingly violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130.

~~(5)~~ 4. As used in this section, "authorized insurer" has the meaning ascribed to it in NRS 679A.030.

Sec. 7. NRS 485.317 is hereby amended to read as follows:

485.317 1. ~~[Subject to the limitations set forth in this subsection and subsection 2, the]~~ The Department shall ~~[, at least monthly, compare the current registrations of motor vehicles to the information in the database created pursuant to NRS 485.313 to]~~ verify that each motor vehicle ~~[~~

~~—(a) Which is newly]~~ **which is** registered in this State ~~[; or~~

~~—(b) For which a policy of liability insurance has been issued, amended or terminated;~~

~~→]~~ is covered by a policy of liability insurance as required by NRS 485.185. ~~[In identifying a motor vehicle for verification pursuant to this subsection, the Department may, if the motor vehicle was manufactured during or after 1981, use only the last eight digits of the vehicle identification number. In comparing the vehicle identification number of a motor vehicle to the vehicle identification number in a policy of liability insurance, to determine if the two vehicle identification numbers match, the Department may find that the two vehicle identification numbers match if no fewer than seven of the last eight digits of the two vehicle identification numbers match.]~~

2. Except as otherwise provided in this subsection, the Department may use any information to verify ~~[, pursuant to subsection 1,]~~ whether ~~[the]~~ a motor vehicle is covered by a policy of liability insurance as required by NRS 485.185. The Department may not use the name of the owner of a motor vehicle as the primary means of verifying that a motor vehicle is covered by a policy of liability insurance.

3. If ~~[, pursuant to subsection 1,]~~ the Department ~~[determines]~~ **is unable to verify** that a motor vehicle is ~~[not]~~ covered by a policy of liability insurance as required by NRS 485.185, the Department shall send a ~~[form for verification]~~ **request for information** by first-class mail to ~~[each]~~ **the** registered owner ~~[that it determines has not maintained the insurance required by NRS 485.185.]~~ **of the motor vehicle.** The owner shall ~~[complete the form with]~~ **submit** all the information which is requested ~~[by]~~ **to** the Department ~~[, including whether he carries an owner's or operator's policy of liability insurance or a certificate of self insurance, and return the completed form]~~ within ~~[20]~~ **15** days after the date on which the ~~[form]~~ **request for information** was mailed by the Department. If the Department

1 does not receive the ~~{completed form}~~ *requested information* within ~~{20}~~ *15* days
2 after it mailed the ~~{form}~~ *request* to the owner, the Department shall send to the
3 owner a notice of suspension of registration by certified mail. The notice must
4 inform the owner that unless ~~{he submits a completed form to}~~ the Department *is*
5 *able to verify that the motor vehicle is covered by a policy of liability insurance as*
6 *required by NRS 485.185* within ~~{15}~~ *10* days after the date on which the notice
7 was sent by the Department, his registration will be suspended pursuant to
8 subsection ~~{5. This subsection does not prohibit an authorized agent of the owner~~
9 ~~from providing to the Department:~~

10 ~~—(a) The information requested by the Department pursuant to this subsection.~~

11 ~~—(b) Additional information to amend or correct information already submitted to the Department pursuant to this subsection.~~

12 ~~4. When the Department receives a completed form for verification, it shall~~
13 ~~verify the information on the form.~~

14 ~~—5-} 4.~~

15
16 *4. The Department shall suspend the registration and require the return to the*
17 *Department of the license plates of any vehicle for which the {form for verification*
18 *set forth in subsection 3 is:*

19 ~~—(a) Not returned to the Department by the registered owner or his authorized~~
20 ~~agent within the period specified in that subsection;~~

21 ~~—(b) Returned to the Department by the registered owner or his authorized agent~~
22 ~~and the Department is not able to verify the information on the form; or~~

23 ~~—(c) Returned by the registered owner or his authorized agent with an admission~~
24 ~~of having no insurance or without indicating an insurer or the number of a motor~~
25 ~~vehicle liability policy or a certificate of self insurance.~~

26 ~~6. If the Department suspends a registration pursuant to subsection 5 because:~~

27 ~~—(a) Neither the owner nor his authorized agent returned a form for verification~~
28 ~~within the specified period or the owner or his authorized agent returned a form for~~
29 ~~verification that was not completed sufficiently, and the owner or his authorized~~
30 ~~agent, thereafter:~~

31 ~~—(1) Proves to the satisfaction of the Department that there was a justifiable~~
32 ~~cause for his failure to do so;~~

33 ~~—(2) Submits a completed form regarding his insurance on the date stated in~~
34 ~~the form mailed by the Department pursuant to subsection 3; and~~

35 ~~—(3) Presents evidence of current insurance; or~~

36 ~~—(b) The owner or his authorized agent submitted to the Department a form for~~
37 ~~verification containing information that the Department was unable to verify and,~~
38 ~~thereafter, the owner or his authorized agent presents to the Department:~~

39 ~~—(1) A corrected form or otherwise verifiable evidence setting forth that the~~
40 ~~owner possessed insurance on the date stated in the form; and~~

41 ~~—(2) Evidence of current insurance;~~

42 ~~→ the Department shall rescind its suspension of the registration if it is able to~~
43 ~~verify the information on the form or the other evidence presented. The Department~~
44 ~~shall not charge a fee to reinstate a registration, the suspension of which was~~
45 ~~rescinded pursuant to this subsection. For the purposes of this subsection,~~
46 ~~"justifiable cause" may include, but is not limited to, the fact that the owner did not~~
47 ~~receive the form mailed by the Department pursuant to subsection 3.~~

48 ~~7. Except as otherwise provided in subsections 8 and 9, if a registered owner~~
49 ~~whose registration is suspended pursuant to subsection 5, failed to have insurance~~
50 ~~on the date specified in the form for verification,] Department cannot verify the~~
51 ~~coverage of liability insurance required by NRS 485.185.~~

52 *5. Except as otherwise provided in subsection 6, the Department shall*
53 *reinstate the registration of the vehicle and reissue the license plates only upon*

1 ~~{filing by the registered owner of evidence}~~ **verification** of current insurance and
2 payment of the fee for reinstatement of registration prescribed in paragraph (a) of
3 subsection 6 of NRS 482.480.

4 ~~{8.}~~ 6. If a registered owner proves to the satisfaction of the Department that
5 his vehicle was a dormant vehicle during the period in which the information
6 provided pursuant to NRS 485.314 indicated that there was no insurance for the
7 vehicle, the Department shall reinstate his registration and, if applicable, reissue his
8 license plates. If such an owner of a dormant vehicle failed to cancel the
9 registration for the vehicle in accordance with subsection 3 of NRS 485.320,
10 the Department shall not reinstate his registration or reissue his license plates unless
11 the owner pays the fee set forth in paragraph (b) of subsection 6 of NRS 482.480.

12 ~~{9.}~~ 7. If the Department suspends the registration of a motor vehicle
13 pursuant to subsection ~~{5}~~ 4 because the registered owner of the motor vehicle
14 failed to have insurance on the date specified in the form for verification, and if the
15 registered owner, in accordance with regulations adopted by the Department,
16 proves to the satisfaction of the Department that he was unable to comply with the
17 provisions of NRS 485.185 on that date because of extenuating circumstances, the
18 Department may:

19 (a) Reinstate the registration of the motor vehicle and reissue the license plates
20 upon payment by the registered owner of a fee of \$50, which must be deposited in
21 the Account for Verification of Insurance created by subsection 6 of NRS 482.480;
22 or

23 (b) Rescind the suspension of the registration without the payment of a fee.
24 ➤ The Department shall adopt regulations to carry out the provisions of this
25 subsection.

26 ~~{10. For the purposes of verification of insurance by the Department pursuant~~
27 ~~to this section, a motor vehicle shall be deemed to be covered by liability insurance~~
28 ~~unless the motor vehicle is without coverage for a period of more than 7 days.}~~

29 ~~{Sec. 2.}~~ **Sec. 8.** This act becomes effective:

30 1. Upon passage and approval for the purpose of adopting regulations and
31 performing any other preparatory administrative tasks that are necessary to carry
32 out the provisions of this act; and

33 2. On February 1, 2010, for all other purposes.