

Amendment No. 252

Assembly Amendment to Assembly Bill No. 247 (BDR 43-300)

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 247 (§ 1).

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

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

JRS/WLK



Date: 4/22/2011

A.B. No. 247—Revises the circumstances under which a person is exempt from obtaining a license to drive a road machine, farm tractor or implement of husbandry on a highway. (BDR 43-300)



ASSEMBLY BILL NO. 247—ASSEMBLYMEN GOICOECHEA;
GRADY AND HANSEN

MARCH 9, 2011

Referred to Committee on Transportation

SUMMARY—~~[Revises the circumstances under which a person is exempt from obtaining a license to drive a road machine,]~~ Authorizes an agricultural user to apply to the Motor Carrier Division of the Department of Motor Vehicles for the issuance of a license plate and decal to operate a farm tractor or motorized implement of husbandry on a highway in this State under certain circumstances. (BDR 43-300)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to vehicles; ~~[requiring]~~ authorizing an agricultural user to apply to the Motor Carrier Division of the Department of Motor Vehicles ~~[to issue a decal exempting a person from obtaining a license]~~ for the issuance of a license plate and decal to operate a ~~[road machine,]~~ farm tractor or motorized implement of husbandry on a highway in this State under certain circumstances; requiring the ~~[decal]~~ license plate to be displayed on the ~~[road machine,]~~ farm tractor or motorized implement of husbandry in ~~[the]~~ a certain manner; ~~[specified by the Department,]~~ authorizing the Department to issue a ~~[new]~~ replacement license plate or decal upon the payment of a fee if a license plate or decal is lost or destroyed; ~~[revising the circumstances under which a person is exempt from obtaining a license to drive a road machine, farm tractor or implement of husbandry on a highway,]~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, ~~[certain persons are exempt from obtaining a driver's license or permit to operate a vehicle on a highway in this State. This exemption includes, without limitation, any person while temporarily driving a road machine, farm tractor or implement of husbandry on a highway. (NRS 483.240)]~~ Section 7 of this bill revises the circumstances under which the person may claim such an exemption by requiring the person to ensure that: (1) a policy of liability insurance which includes a certain amount of coverage for bodily injury and property damage is in effect; (2) a decal issued by the Department of Motor Vehicles is attached to the road machine, farm tractor or implement of husbandry; and (3) during the period in which the person drives the road machine, farm tractor or implement of husbandry on the highway, an emblem for slow moving vehicles is displayed on the road machine, farm

tractor or implement of husbandry, the vehicular hazard warning lamps for the road machine, farm tractor or implement of husbandry are displayed or any other warning device required by the Department is displayed on the road machine, farm tractor or implement of husbandry. Section 1 of this bill authorizes a person who wishes to obtain a decal exempting him or her from obtaining a license to operate a road machine, farm tractor or implement of husbandry on a highway to submit a notice of that fact to the Department. Such a notice must include a fee of \$20 and evidence satisfactory to the Department that the person is the holder of a policy of liability insurance which includes a certain amount of coverage for bodily injury and property damage. Section 1 requires the decal to be displayed on the road machine, farm tractor or implement of husbandry in the manner specified by the Department and) every owner of a motor vehicle, trailer or semitrailer that is intended to be operated upon any highway in this State is required, before operating the motor vehicle, trailer or semitrailer, to apply to the Department of Motor Vehicles to register the motor vehicle, trailer or semitrailer. (NRS 482.205) Existing law exempts an implement of husbandry from the registration requirement if the implement of husbandry is temporarily drawn, moved or otherwise propelled upon a highway. (NRS 482.210) This bill authorizes a person who is an agricultural user and who wishes to obtain a license plate and decal to operate a farm tractor or motorized implement of husbandry on the highways of this State to submit an application to the Motor Carrier Division of the Department of Motor Vehicles. An "agricultural user" is defined to mean a person who owns or operates a farm tractor or motorized implement of husbandry for a certain type of agricultural use. This bill requires the Department to issue a license plate and decal for the farm tractor or motorized implement of husbandry as soon as practicable after the Department receives the application, applicable fee and appropriate evidence of insurance. This bill also authorizes an agricultural user to submit an application for the renewal of a license plate and decal for a farm tractor or motorized implement of husbandry. An application for renewal must include the applicable fee and appropriate evidence of insurance. Finally, this bill authorizes the Department to issue a new license plate or decal for a farm tractor or motorized implement of husbandry if the license plate or decal is lost or destroyed.

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

Section 1. Chapter ~~493~~ 482 of NRS is hereby amended by adding thereto a new section to read as follows:

Notwithstanding any provision of this chapter to the contrary:

1. Any ~~person~~ agricultural user who wishes to obtain a ~~decal exempting him or her from obtaining a license plate and decal to operate a road machine, farm tractor or implement of husbandry pursuant to NRS 493.240 may submit a written notice of that fact to~~ farm tractor or motorized implement of husbandry on the highways of this State may submit an application to the Motor Carrier Division of the Department. ~~The written notice must include a fee of \$20. Each application must be made upon the appropriate form furnished by the Department. The application must include a nonrefundable fee of \$10.50 and evidence satisfactory to the Department that the ~~person~~ agricultural user is the holder of a policy of liability insurance which provides at least \$300,000 in coverage for bodily injury and property damage resulting from any single accident caused by the ~~person~~ agricultural user while ~~driving~~ operating the ~~road machine,~~ farm tractor or motorized implement of husbandry. As soon as practicable after receiving the ~~notice,~~ application, fee and evidence of insurance, the Department shall issue the license plate and decal to the ~~person,~~ agricultural user to affix to the farm tractor or motorized implement of husbandry. A decal issued pursuant to this subsection expires on December 31 of the year in which the Department issues the decal. The license plate and decal~~

are not transferable and must be surrendered or returned to the Department within 60 days after:

(a) A transfer of ownership or interest in the farm tractor or motorized implement of husbandry occurs; or

(b) The decal expires pursuant to this subsection and the agricultural user fails to submit an application for renewal pursuant to subsection 2.

2. An application for the renewal of a license plate and decal issued pursuant to subsection 1 must be made upon the appropriate form furnished by the Department. The application for renewal must include a nonrefundable fee of \$10 and evidence satisfactory to the Department that the agricultural user is the holder of a policy of liability insurance specified in subsection 1. As soon as practicable after receiving the application for renewal, fee and evidence of insurance, the Department shall issue a new decal to affix to the license plate. A decal issued pursuant to this subsection expires on December 31 of the year in which the Department issues the decal.

3. A ~~decal~~ license plate issued pursuant to subsection 1 must be displayed on the ~~road-machine,~~ farm tractor or motorized implement of husbandry in ~~the~~ such a manner ~~{specified by the Department,}~~ that the license plate is easily visible from the rear of the farm tractor or motorized implement of husbandry. If the license plate is lost or destroyed, the Department may issue a replacement plate upon the payment of a fee of 50 cents. If the decal is lost or destroyed, the Department may, upon the payment of the fee specified in subsection ~~1, 2,~~ issue a ~~new~~ replacement decal for the ~~road-machine,~~ farm tractor or motorized implement of husbandry.

4. As used in this section, "agricultural user" means any person who owns or operates a farm tractor or motorized implement of husbandry specified in subsection 1 for an agricultural use. As used in this subsection, "agricultural use" has the meaning ascribed to it in NRS 361A.030.

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. (Deleted by amendment.)

Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)