

SENATE BILL NO. 323—SENATOR PARKS

MARCH 21, 2011

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to motor vehicle registration. (BDR 43-421)

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 vehicles; revising provisions governing registration of vehicles in this State by residents of this State; requiring certain nonresidents to register vehicles in this State; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a person, within 60 days after becoming a resident of this
2 State, to apply for the registration of each vehicle he or she owns which is operated
3 in this State. A nonresident owner of a noncommercial vehicle is not required to
4 apply for registration of the vehicle unless the vehicle is furnished to a resident for
5 his or her continuous use within this State. (NRS 482.385) **Section 1** of this bill
6 changes the 60-day period within which a new resident must apply for registration
7 of his or her vehicle to a 30-day period. **Section 1** also requires certain persons to
8 register their vehicles: (1) if the person is a nonresident and the vehicle is operated
9 in this State for a period of more than 30 days in the aggregate in any 1 calendar
10 year; (2) within 10 days if the person is a resident or nonresident and engages in a
11 trade, profession or occupation or accepts gainful employment in this State; (3)
12 within 10 days if the person is a resident or nonresident and enrolls his or her
13 children in a public school in this State; or (4) within 30 days if the person is a
14 resident and operates a vehicle owned by a nonresident.



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

1 **Section 1.** NRS 482.385 is hereby amended to read as follows:
2 482.385 1. Except as otherwise provided in ~~{subsection}~~
3 *subsections 5 and 7* and NRS 482.390, a nonresident owner of a
4 vehicle of a type subject to registration pursuant to the provisions of
5 this chapter, owning any vehicle which has been registered for the
6 current year in the state, country or other place of which the owner
7 is a resident and which at all times when operated in this State has
8 displayed upon it the registration license plate issued for the vehicle
9 in the place of residence of the owner, may operate or permit the
10 operation of the vehicle within this State without its registration in
11 this State pursuant to the provisions of this chapter and without the
12 payment of any registration fees to this State ~~{§}~~:

13 *(a) For a period of not more than 30 days in the aggregate in*
14 *any 1 calendar year; and*

15 *(b) Notwithstanding the provisions of paragraph (a), during*
16 *any period in which the owner is on active duty in the military*
17 *service of the United States.*

18 2. This section does not:

19 (a) Prohibit the use of manufacturers', distributors' or dealers'
20 license plates issued by any state or country by any nonresident in
21 the operation of any vehicle on the public highways of this State.

22 (b) Require registration of vehicles of a type subject to
23 registration pursuant to the provisions of this chapter operated by
24 nonresident common motor carriers of persons or property, contract
25 motor carriers of persons or property, or private motor carriers of
26 property as stated in NRS 482.390.

27 (c) Require registration of a vehicle operated by a border state
28 employee.

29 3. ~~{When}~~ *Except as otherwise provided in subsection 5, when*
30 a person, formerly a nonresident, becomes a resident of this State,
31 the person shall:

32 (a) Within ~~{60}~~ *30* days after becoming a resident; or

33 (b) At the time he or she obtains a driver's license,

34 ➔ whichever occurs earlier, apply for the registration of each
35 vehicle the person owns which is operated in this State. When a
36 person, formerly a nonresident, applies for a driver's license in this
37 State, the Department shall inform the person of the requirements
38 imposed by this subsection and of the penalties that may be imposed
39 for failure to comply with the provisions of this subsection.

40 4. A citation may be issued pursuant to ~~{this}~~ *subsection 1, 3 or*
41 *5* only if the violation is discovered when the vehicle is halted or its
42 driver arrested for another alleged violation or offense. The



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1 Department shall maintain or cause to be maintained a list or other
2 record of persons who fail to comply with the provisions of ~~this~~
3 subsection 3 and shall, at least once each month, provide a copy of
4 that list or record to the Department of Public Safety.

5 ~~[4.]~~ 5. *Except as otherwise provided in this subsection, a*
6 *resident or nonresident owner of a vehicle of a type subject to*
7 *registration pursuant to the provisions of this chapter who*
8 *engages in a trade, profession or occupation or accepts gainful*
9 *employment in this State or who enrolls his or her children in a*
10 *public school in this State shall, within 10 days after the*
11 *commencement of such employment or enrollment, apply for the*
12 *registration of each vehicle the person owns which is operated in*
13 *this State. The provisions of this subsection do not apply to a*
14 *nonresident who is:*

15 (a) *An out-of-state student;*

16 (b) *Registered as a student at a college or university located*
17 *outside this State and who is in the State for a period of not more*
18 *than 6 months to participate in a work-study program for which*
19 *the student earns academic credits from the college or university;*
20 *or*

21 (c) *A migrant or seasonal farm worker.*

22 6. A person who violates the provisions of subsection 1, 3 or 5
23 is guilty of a misdemeanor and, except as otherwise provided in this
24 subsection, shall be punished by a fine of \$1,000. The fine imposed
25 pursuant to this subsection is in addition to any fine or penalty
26 imposed for the other alleged violation or offense for which the
27 vehicle was halted or its driver arrested pursuant to subsection ~~[3.]~~
28 4. The fine imposed pursuant to this subsection may be reduced to
29 not less than \$200 if the person presents evidence at the time of the
30 hearing that the person has registered the vehicle pursuant to this
31 chapter.

32 ~~[5.]~~ 7. Any resident operating upon a highway of this State a
33 motor vehicle which is owned by a nonresident and which is
34 furnished to the resident operator for his or her continuous use
35 within this State, shall cause that vehicle to be registered within ~~[60]~~
36 30 days after beginning its operation within this State.

37 ~~[6.]~~ 8. A person registering a vehicle pursuant to the
38 provisions of subsection 1, 3, 5, ~~[or]~~ 7 or 9 or pursuant to
39 NRS 482.390:

40 (a) Must be assessed the registration fees and governmental
41 services tax, as required by the provisions of this chapter and
42 chapter 371 of NRS; and

43 (b) Must not be allowed credit on those taxes and fees for the
44 unused months of the previous registration.



~~7.1~~ 9. If a vehicle is used in this State for a gainful purpose, the owner shall immediately apply to the Department for registration, except as otherwise provided in NRS 482.390, 482.395 and 706.801 to 706.861, inclusive.

~~8.1~~ 10. An owner registering a vehicle pursuant to the provisions of this section shall surrender the existing nonresident license plates and registration certificates to the Department for cancellation.

~~9.1~~ 11. A vehicle may be cited for a violation of this section regardless of whether it is in operation or is parked on a highway, in a public parking lot or on private property which is open to the public if, after communicating with the owner or operator of the vehicle, the peace officer issuing the citation determines that:

(a) The owner of the vehicle is a resident of this State; ~~or~~

(b) The vehicle is used in this State for a gainful purpose ~~or~~;

(c) Except as otherwise provided in paragraph (b) of subsection 1, the owner of the vehicle is a nonresident and has operated the vehicle in this State for more than 30 days in the aggregate in any 1 calendar year; or

(d) The owner of the vehicle is a nonresident required to register the vehicle pursuant to subsection 5.

➤ As used in this subsection, "peace officer" includes a constable.

Sec. 2. Notwithstanding the amendatory provisions of this act:

1. The provisions of subsection 3 of NRS 482.385, as amended by section 1 of this act, do not require a person specified in that subsection to register a vehicle owned by that person and operated in this State until August 1, 2011.

2. The provisions of subsection 5 of NRS 482.385, as added to that section by section 1 of this act, do not require a resident of this State specified in that subsection to register a vehicle owned by that person and operated in this State until September 1, 2011.

3. The provisions of subsection 7 of NRS 482.385, as amended by section 1 of this act, do not require a resident of this State who operates a motor vehicle specified in that subsection to cause that motor vehicle to be registered until August 1, 2011.

Sec. 3. This act becomes effective on July 1, 2011.

