

ASSEMBLY BILL NO. 14—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED DECEMBER 19, 2012

Referred to Committee on Transportation

SUMMARY—Makes various changes relating to motor vehicles.  
(BDR 43-369)

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 concerning temporary permits to act as a salesperson; revising provisions concerning licenses of salespersons; allowing the Department of Motor Vehicles to reinstate the registration of a dormant vehicle or remove the suspension of that registration under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Under existing law, when a person holding a temporary permit to act as a  
2 salesperson of vehicles ceases to be employed by a licensed and bonded dealer,  
3 lessor or rebuilder, the permit is automatically suspended, the person's right to act  
4 as a salesperson immediately ceases and the person's application for licensure must  
5 be denied by the Department of Motor Vehicles unless the person has: (1) paid a  
6 \$20 transfer fee; (2) submitted a certificate of employment indicating that the  
7 person has been reemployed with a licensed and bonded dealer, lessor or rebuilder;  
8 and (3) presents a current temporary permit or new salesperson's license to the  
9 person's employer. Existing law further provides that, if a person's application for a  
10 salesperson's license has been denied, the person must wait at least 6 months to  
11 reapply. (NRS 482.362) **Section 1** of this bill deletes the provision requiring that  
12 the application for licensure of a person holding a temporary permit be denied if  
13 that person ceases to be employed as a salesperson by a licensed and bonded dealer,  
14 lessor or rebuilder, thus allowing that person to resume the application process  
15 upon finding employment elsewhere. **Section 1** also expressly prohibits the person  
16 from engaging in the activity of a salesperson during the period in which the person  
17 is unemployed. **Section 1** provides additionally that, if a person ceases to be  
18 employed as a salesperson by a licensed and bonded dealer, lessor or rebuilder, the



19 salesperson is not required to physically surrender his or her license, but the dealer,  
20 lessor or rebuilder, as applicable, is required to notify the Department that the  
21 employment has ceased, and the person is not allowed to engage in the activity of a  
22 salesperson until he or she is reemployed by a licensed and bonded dealer, lessor or  
23 rebuilder.

24 Under existing law, the Department is required to suspend the registration of  
25 any motor vehicle for which the Department cannot verify coverage of liability  
26 insurance. If the registered owner of the motor vehicle proves to the satisfaction of  
27 the Department that the motor vehicle was a dormant vehicle during the period in  
28 which the Department was unable to verify liability insurance coverage, the  
29 Department is required to reinstate the registration and, if applicable, reissue the  
30 license plates for the motor vehicle only after the owner of the motor vehicle pays a  
31 fee of \$50. (NRS 485.317) **Section 4** of this bill allows the Department to remove  
32 the suspension of the registration without requiring the owner of the vehicle to pay  
33 a fee or administrative fine.

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

1 **Section 1.** NRS 482.362 is hereby amended to read as follows:

2 482.362 1. A person shall not engage in the activity of a  
3 salesperson of vehicles, trailers or semitrailers, or act in the capacity  
4 of a salesperson as defined in this chapter, in the State of Nevada  
5 without first having received a license or temporary permit from the  
6 Department. Before issuing a license or temporary permit to engage  
7 in the activity of a salesperson, the Department shall require:

8 (a) An application, signed and verified by the applicant, stating  
9 that the applicant is to engage in the activity of a salesperson, his or  
10 her residence address and social security number, and the name and  
11 address of the applicant's employer.

12 (b) Proof of the employment of the applicant by a licensed and  
13 bonded vehicle dealer, trailer or semitrailer dealer, lessor or  
14 rebuilder at the time the application is filed.

15 (c) A statement as to whether any previous application of the  
16 applicant has been denied or license revoked.

17 (d) Payment of a nonrefundable license fee of \$75. The license  
18 expires on December 31 of each calendar year and may be renewed  
19 annually upon the payment of a fee of \$40.

20 (e) For initial licensure, the applicant to submit a complete set of  
21 fingerprints and written permission authorizing the Department to  
22 forward those fingerprints to the Central Repository for Nevada  
23 Records of Criminal History for submission to the Federal Bureau  
24 of Investigation for its report.

25 (f) Any other information the Department deems necessary.

26 2. The Department may issue a 60-day temporary permit to an  
27 applicant who has submitted an application and paid the required  
28 fee.



1 3. A license to act as a salesperson of vehicles, trailers or  
2 semitrailers, or to act in the capacity of a salesperson as defined in  
3 this chapter, issued pursuant to this chapter does not permit a person  
4 to engage in the business of selling mobile homes.

5 4. An application for a salesperson's license may be denied and  
6 a salesperson's license may be suspended or revoked upon the  
7 following grounds:

8 (a) Failure of the applicant to establish by proof satisfactory to  
9 the Department that the applicant is employed by a licensed and  
10 bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or  
11 rebuilder.

12 (b) Conviction of a felony.

13 (c) Conviction of a gross misdemeanor.

14 (d) Conviction of a misdemeanor for violation of any of the  
15 provisions of this chapter.

16 (e) Falsification of the application.

17 (f) Evidence of unfitness as described in NRS 482.3255.

18 (g) Failure of the applicant to provide any information deemed  
19 necessary by the Department to process the application.

20 (h) Any reason determined by the Director to be in the best  
21 interests of the public.

22 5. Except where a dealer, lessor or rebuilder has multiple  
23 branches licensed under NRS 482.326, a salesperson of vehicles  
24 shall not engage in any sales activity, or act in any other capacity as  
25 a salesperson as defined in this chapter, other than for the account of  
26 or for and in behalf of a single employer, at a specified place of  
27 business of that employer, who must be a licensed dealer, lessor or  
28 rebuilder.

29 6. If an application for a salesperson's license has been denied,  
30 the applicant may reapply not less than 6 months after the denial.

31 7. A salesperson's license must be posted in a conspicuous  
32 place on the premises of the dealer, lessor or rebuilder ~~{for whom}~~  
33 *who employs* the salesperson ~~{is licensed}~~ to sell vehicles. *If a*  
34 *licensed salesperson ceases to be employed by the dealer, lessor or*  
35 *rebuilder, the dealer, lessor or rebuilder, as applicable, shall*  
36 *surrender the salesperson's license to the salesperson by the end*  
37 *of the next business day after the employment ceases.*

38 8. If a licensed salesperson ceases to be employed by a licensed  
39 and bonded dealer, lessor or rebuilder ~~{, the license to act as a~~  
40 ~~salesperson is automatically suspended and the right to act as a~~  
41 ~~salesperson thereupon immediately ceases, and the} :~~

42 (a) *The dealer, lessor or rebuilder shall submit a written notice*  
43 *of that fact to the Department within 10 days after the employment*  
44 *ceases; and*



1       ***(b) The person shall not engage in the activity of a salesperson***  
2 ***until he or she has ~~paid the Department a transfer fee of \$20 and~~***  
3 ***~~submitted a certificate of employment indicating he or she has~~ been***  
4 ***reemployed by a licensed and bonded dealer, lessor or rebuilder . ~~†~~***  
5 ***~~and has thereafter presented a current temporary permit or a new~~***  
6 ***~~salesperson's license to the employer.~~ The dealer, lessor or***  
7 ***rebuilder who reemploys the salesperson shall submit a written***  
8 ***notice of that fact to the Department within 10 days after the***  
9 ***employment commences.***

10       9. If a licensed salesperson changes his or her residential  
11 address, the salesperson shall submit a written notice of the change to  
12 the Department within 10 days after the change occurs.

13       10. If a person who holds a temporary permit to act as a  
14 salesperson ceases to be employed by a licensed and bonded dealer,  
15 lessor or rebuilder ~~†, the permit to act as a salesperson is~~  
16 ~~automatically suspended, the right to act as a salesperson thereupon~~  
17 ~~immediately ceases and the person's application for licensure must~~  
18 ~~be denied unless† :~~

19       ***(a) The dealer, lessor or rebuilder shall submit a written notice***  
20 ***of that fact to the Department within 10 days after the employment***  
21 ***ceases; and***

22       ***(b) The person shall not engage in the activity of a salesperson***  
23 ***until he or she has ~~paid the Department a transfer fee of \$20 and~~***  
24 ***~~submitted a certificate of employment indicating he or she has~~ been***  
25 ***reemployed by a licensed and bonded dealer, lessor or rebuilder . ~~†~~***  
26 ***~~and has thereafter presented a current temporary permit or a new~~***  
27 ***~~salesperson's license to the employer.~~ The dealer, lessor or***  
28 ***rebuilder who reemploys the salesperson shall submit a written***  
29 ***notice of that fact to the Department within 10 days after the***  
30 ***employment commences.***

31       11. ~~†A licensed dealer, lessor or rebuilder who employs a~~  
32 ~~licensed salesperson shall notify the Department of the termination~~  
33 ~~of his or her employment within 10 days following the date of~~  
34 ~~termination by forwarding the salesperson's license to the~~  
35 ~~Department.~~

36       —12.† Any person who fails to comply with the provisions of this  
37 section is guilty of a misdemeanor except as otherwise provided in  
38 NRS 482.555.

39       **Sec. 2.** NRS 482.480 is hereby amended to read as follows:

40       482.480 There must be paid to the Department for the  
41 registration or the transfer or reinstatement of the registration of  
42 motor vehicles, trailers and semitrailers, fees according to the  
43 following schedule:

44       1. Except as otherwise provided in this section, for each stock  
45 passenger car and each reconstructed or specially constructed



- 1 passenger car registered to a person, regardless of weight or number  
2 of passenger capacity, a fee for registration of \$33.
- 3 2. Except as otherwise provided in subsection 3:
- 4 (a) For each of the fifth and sixth such cars registered to a  
5 person, a fee for registration of \$16.50.
- 6 (b) For each of the seventh and eighth such cars registered to a  
7 person, a fee for registration of \$12.
- 8 (c) For each of the ninth or more such cars registered to a  
9 person, a fee for registration of \$8.
- 10 3. The fees specified in subsection 2 do not apply:
- 11 (a) Unless the person registering the cars presents to the  
12 Department at the time of registration the registrations of all the cars  
13 registered to the person.
- 14 (b) To cars that are part of a fleet.
- 15 4. For every motorcycle, a fee for registration of \$33 and for  
16 each motorcycle other than a trimobile, an additional fee of \$6 for  
17 motorcycle safety. The additional fee must be deposited in the State  
18 Highway Fund for credit to the Account for the Program for the  
19 Education of Motorcycle Riders.
- 20 5. For each transfer of registration, a fee of \$6 in addition to  
21 any other fees.
- 22 6. Except as otherwise provided in subsection ~~7~~ 6 of NRS  
23 485.317, to reinstate the registration of a motor vehicle that is  
24 suspended pursuant to that section:
- 25 (a) A fee as specified in NRS 482.557 for a registered owner  
26 who failed to have insurance on the date specified by the  
27 Department, which fee is in addition to any fine or penalty imposed  
28 pursuant to NRS 482.557; or
- 29 (b) A fee of \$50 for a registered owner of a dormant vehicle who  
30 cancelled the insurance coverage for that vehicle or allowed the  
31 insurance coverage for that vehicle to expire without first cancelling  
32 the registration for the vehicle in accordance with subsection 3 of  
33 NRS 485.320,
- 34 ↪ both of which must be deposited in the Account for Verification  
35 of Insurance which is hereby created in the State Highway Fund.  
36 The money in the Account must be used to carry out the provisions  
37 of NRS 485.313 to 485.318, inclusive.
- 38 7. For every travel trailer, a fee for registration of \$27.
- 39 8. For every permit for the operation of a golf cart, an annual  
40 fee of \$10.
- 41 9. For every low-speed vehicle, as that term is defined in NRS  
42 484B.637, a fee for registration of \$33.
- 43 10. To reinstate the registration of a motor vehicle that is  
44 suspended pursuant to NRS 482.451, a fee of \$33.



1     **Sec. 3.** NRS 482.557 is hereby amended to read as follows:

2     482.557 1. Except as otherwise provided in subsection ~~7~~ 6  
3 of NRS 485.317, if a registered owner failed to have insurance on  
4 the date specified by the Department pursuant to NRS 485.317:

5     (a) For a first offense, the registered owner shall pay to the  
6 Department a registration reinstatement fee of \$250, and if the  
7 period during which insurance coverage lapsed was:

8         (1) At least 31 days but not more than 90 days, pay to the  
9 Department a fine of \$250.

10         (2) At least 91 days but not more than 180 days:

11             (I) Pay to the Department a fine of \$500; and

12             (II) File and maintain with the Department a certificate of  
13 financial responsibility for a period of not less than 3 years  
14 following the date on which the registration of the applicable  
15 vehicle is reinstated.

16         (3) More than 180 days:

17             (I) Pay to the Department a fine of \$1,000; and

18             (II) File and maintain with the Department a certificate of  
19 financial responsibility for a period of not less than 3 years  
20 following the date on which the registration of the applicable  
21 vehicle is reinstated.

22     (b) For a second offense, the registered owner shall pay to the  
23 Department a registration reinstatement fee of \$500, and if the  
24 period during which insurance coverage lapsed was:

25         (1) At least 31 days but not more than 90 days, pay to the  
26 Department a fine of \$500.

27         (2) At least 91 days but not more than 180 days:

28             (I) Pay to the Department a fine of \$500; and

29             (II) File and maintain with the Department a certificate of  
30 financial responsibility for a period of not less than 3 years  
31 following the date on which the registration of the applicable  
32 vehicle is reinstated.

33         (3) More than 180 days:

34             (I) Pay to the Department a fine of \$1,000; and

35             (II) File and maintain with the Department a certificate of  
36 financial responsibility for a period of not less than 3 years  
37 following the date on which the registration of the applicable  
38 vehicle is reinstated.

39     (c) For a third or subsequent offense:

40         (1) The driver's license of the registered owner must be  
41 suspended for a period to be determined by regulation of the  
42 Department but not less than 30 days;

43         (2) The registered owner shall file and maintain with the  
44 Department a certificate of financial responsibility for a period of



1 not less than 3 years following the date on which the registration of  
2 the applicable vehicle is reinstated; and

3 (3) The registered owner shall pay to the Department a  
4 registration reinstatement fee of \$750, and if the period during  
5 which insurance coverage lapsed was:

6 (I) At least 31 days but not more than 90 days, pay to the  
7 Department a fine of \$500.

8 (II) At least 91 days but not more than 180 days, pay to  
9 the Department a fine of \$750.

10 (III) More than 180 days, pay to the Department a fine of  
11 \$1,000.

12 2. As used in this section, "certificate of financial  
13 responsibility" has the meaning ascribed to it in NRS 485.028.

14 **Sec. 4.** NRS 485.317 is hereby amended to read as follows:

15 485.317 1. The Department shall verify that each motor  
16 vehicle which is registered in this State is covered by a policy of  
17 liability insurance as required by NRS 485.185.

18 2. Except as otherwise provided in this subsection, the  
19 Department may use any information to verify whether a motor  
20 vehicle is covered by a policy of liability insurance as required by  
21 NRS 485.185. The Department may not use the name of the owner  
22 of a motor vehicle as the primary means of verifying that a motor  
23 vehicle is covered by a policy of liability insurance.

24 3. If the Department is unable to verify that a motor vehicle is  
25 covered by a policy of liability insurance as required by NRS  
26 485.185, the Department shall send a request for information by  
27 first-class mail to the registered owner of the motor vehicle. The  
28 owner shall submit all the information which is requested to the  
29 Department within 15 days after the date on which the request for  
30 information was mailed by the Department. If the Department does  
31 not receive the requested information within 15 days after it mailed  
32 the request to the owner, the Department shall send to the owner a  
33 notice of suspension of registration by certified mail. The notice  
34 must inform the owner that unless the Department is able to verify  
35 that the motor vehicle is covered by a policy of liability insurance as  
36 required by NRS 485.185 within 10 days after the date on which the  
37 notice was sent by the Department, the owner's registration will be  
38 suspended pursuant to subsection 4.

39 4. The Department shall suspend the registration and require  
40 the return to the Department of the license plates of any vehicle for  
41 which the Department cannot verify the coverage of liability  
42 insurance required by NRS 485.185.

43 5. Except as otherwise provided in subsection 6, the  
44 Department shall reinstate the registration of the vehicle and reissue  
45 the license plates only upon verification of current insurance and



1 compliance with the requirements for reinstatement of registration  
2 prescribed in paragraph (a) of subsection 6 of NRS 482.480.

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

13 ~~7.~~ If the Department suspends the registration of a motor  
14 vehicle pursuant to subsection 4 because the registered owner of the  
15 motor vehicle failed to have insurance on the date specified in the  
16 form for verification, and if the registered owner, in accordance with  
17 regulations adopted by the Department, proves to the satisfaction of  
18 the Department that the owner was unable to comply with the  
19 provisions of NRS 485.185 on that date because of extenuating  
20 circumstances ~~if~~ *or that the motor vehicle was a dormant vehicle*  
21 *and the owner failed to cancel the registration in accordance with*  
22 *subsection 3 of NRS 485.320*, the Department may:

23 (a) Reinstatement of the registration of the motor vehicle and reissue the  
24 license plates upon payment by the registered owner of a fee of \$50,  
25 which must be deposited in the Account for Verification of  
26 Insurance created by subsection 6 of NRS 482.480; or

27 (b) ~~Reinstate~~ *Remove* the suspension of the registration without  
28 the payment of a fee ~~if~~ *or administrative fine*.

29 ➤ The Department shall adopt regulations to carry out the  
30 provisions of this subsection.

31 **Sec. 5.** This act becomes effective upon passage and approval.

