

Amendment No. 18

Senate Amendment to Senate Bill No. 5

(BDR 27-285)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

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.

DLJ/JRS



Date: 4/2/2013

S.B. No. 5—Revises provisions relating to the purchasing and labeling of motor vehicles by the State. (BDR 27-285)



SENATE BILL NO. 5—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE MOTOR POOL DIVISION)

PREFILED DECEMBER 19, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the purchasing and labeling of motor vehicles by the State. (BDR 27-285)

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 public purchasing; revising provisions relating to the purchasing and labeling of motor vehicles by the State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~This~~ **Section 1 of this** bill removes from existing law the requirement that motor vehicles purchased by the State for use by any department, office, bureau, officer or employee of the State be labeled by painting the words "State of Nevada" and "For Official Use Only" on the motor vehicles. (NRS 334.010) ~~This bill~~ **Section 1** replaces that requirement ~~with a requirement that~~ **by requiring** the ~~Director of the Department of Administration~~ **State Board of Examiners** to adopt regulations governing the labeling of those motor vehicles and any exceptions to the labeling requirements.

~~This bill~~ **Section 1** also revises the requirement that any purchase of a motor vehicle by the State receive the prior written consent of the State Board of Examiners to allow the prior written consent of a designee of the State Board of Examiners. (NRS 334.010)

Section 3 of this bill exempts the Board from complying with the procedural requirements of chapter 233B of NRS when adopting the regulations required pursuant to section 1.

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

Section 1. NRS 334.010 is hereby amended to read as follows:
334.010 1. No ~~automobile~~ **motor vehicle** may be purchased by any department, office, bureau, officer or employee of the State without prior written consent of the State Board of Examiners ~~or its designee.~~

2. All such ~~automobiles~~ **motor vehicles** must be used for official purposes only.

3. ~~All such automobiles, except:~~
~~(a) Automobiles maintained for and used by the Governor;~~

~~(b) Automobiles used by or under the authority and direction of the Chief Parole and Probation Officer, the State Contractors' Board and auditors, the State Fire Marshal, the Investigation Division of the Department of Public Safety, the investigators of the State Gaming Control Board, the investigators of the Securities Division of the Office of the Secretary of State and the investigators of the Attorney General;~~

~~(c) One automobile used by the Department of Corrections;~~

~~(d) Two automobiles used by the Caliente Youth Center;~~

~~(e) Three automobiles used by the Nevada Youth Training Center; and~~

~~(f) Four automobiles used by the Youth Parole Bureau of the Division of Child and Family Services of the Department of Health and Human Services;~~

~~must be labeled by painting the words "State of Nevada" and "For Official Use Only" on the automobiles in plain lettering. The Director of the Department of Administration or a representative of the Director shall prescribe the size and location of the label for all such automobiles.~~

~~4. Any officer or employee of the State of Nevada who violates any provision of this section is guilty of a misdemeanor.~~

4. The ~~Director of the Department of Administration~~ State Board of Examiners shall adopt regulations governing the labeling of motor vehicles purchased by any department, office, bureau, officer or employee of the State, including, without limitation, any exceptions to the requirement to label a motor vehicle.

5. As used in this section, "motor vehicle" means a motor vehicle that has a manufacturer's gross vehicle weight rating of less than 8,500 pounds. The term does not include a vehicle that is operated using fewer than four wheels in contact with the ground, including, without limitation, a moped, motorcycle or trimobile.

Sec. 2. ~~The Director of the Department of Administration shall adopt the regulations required pursuant to subsection 4 of section 1 of this act on or before December 31, 2013.~~ (Deleted by amendment.)

Sec. 3. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) Except as otherwise provided in NRS 209.221, the Department of Corrections.

(c) The Nevada System of Higher Education.

(d) The Office of the Military.

(e) The State Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140, the Nevada Gaming Commission.

(g) The Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) Except as otherwise provided in NRS 422.390, the Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) The State Board of Examiners acting pursuant to chapter 217 of NRS **and NRS 334.010.**

(j) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(k) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(l) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.

(m) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 590.830.

(n) The Silver State Health Insurance Exchange.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education, the Board of the Public Employees' Benefits Program and the Commission on Professional Standards in Education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

(a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;

(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(d) NRS 90.800 for the use of summary orders in contested cases,

➤ prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the State Board of Agriculture, the State Board of Health, or any other agency of this State in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control;

(b) An extraordinary regulation of the State Board of Pharmacy adopted pursuant to NRS 453.2184;

(c) A regulation adopted by the State Board of Education pursuant to NRS 392.644 or 394.1694; or

(d) The judicial review of decisions of the Public Utilities Commission of Nevada.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

~~Sec. 3.~~ **Sec. 4.** 1. This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On January 1, 2014, for all other purposes.