

SENATE BILL NO. 88—SENATOR HARDY

PREFILED FEBRUARY 1, 2013

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Authorizes the Department of Motor Vehicles to waive certain fines under certain circumstances. (BDR 43-109)

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; authorizing the Department of Motor Vehicles to waive certain fines required to reinstate the registration of a motor vehicle under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, if the Department of Motor Vehicles cannot verify that a
2 motor vehicle is covered by a policy of liability insurance, the Department is
3 required to suspend the registration of and require the return of the license plates of
4 that vehicle. (NRS 485.317) If the registration of a vehicle is suspended, the
5 registered owner of the vehicle is required to pay a fee before that suspension is
6 rescinded. (NRS 482.480, 482.557) Registered owners whose coverage has lapsed
7 for at least 31 days are also required to pay a fine. (NRS 482.557) The Department
8 is currently authorized to waive the fee if the registered owner of the vehicle can
9 prove to the satisfaction of the Department that he or she could not maintain
10 insurance or cancel his or her registration because of extenuating circumstances.
11 (NRS 485.317) This bill authorizes the Department to also waive the fine if the
12 registered owner of the vehicle can prove to the satisfaction of the Department that
13 he or she could not maintain insurance or cancel his or her registration because of
14 extenuating circumstances and that the vehicle was a dormant vehicle during the
15 period in which the information provided pursuant to NRS 485.314 indicated that
16 there was no insurance for the vehicle.

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

1 **Section 1.** (Deleted by amendment.)



1 **Sec. 2.** (Deleted by amendment.)

2 **Sec. 3.** (Deleted by amendment.)

3 **Sec. 4.** (Deleted by amendment.)

4 **Sec. 5.** (Deleted by amendment.)

5 **Sec. 5.5.** NRS 485.317 is hereby amended to read as follows:

6 485.317 1. The Department shall verify that each motor
7 vehicle which is registered in this State is covered by a policy of
8 liability insurance as required by NRS 485.185.

9 2. Except as otherwise provided in this subsection, the
10 Department may use any information to verify whether a motor
11 vehicle is covered by a policy of liability insurance as required by
12 NRS 485.185. The Department may not use the name of the owner
13 of a motor vehicle as the primary means of verifying that a motor
14 vehicle is covered by a policy of liability insurance.

15 3. If the Department is unable to verify that a motor vehicle is
16 covered by a policy of liability insurance as required by NRS
17 485.185, the Department shall send a request for information by
18 first-class mail to the registered owner of the motor vehicle. The
19 owner shall submit all the information which is requested to the
20 Department within 15 days after the date on which the request for
21 information was mailed by the Department. If the Department does
22 not receive the requested information within 15 days after it mailed
23 the request to the owner, the Department shall send to the owner a
24 notice of suspension of registration by certified mail. The notice
25 must inform the owner that unless the Department is able to verify
26 that the motor vehicle is covered by a policy of liability insurance as
27 required by NRS 485.185 within 10 days after the date on which the
28 notice was sent by the Department, the owner's registration will be
29 suspended pursuant to subsection 4.

30 4. The Department shall suspend the registration and require
31 the return to the Department of the license plates of any vehicle for
32 which the Department cannot verify the coverage of liability
33 insurance required by NRS 485.185.

34 5. Except as otherwise provided in subsection 6, the
35 Department shall reinstate the registration of the vehicle and reissue
36 the license plates only upon verification of current insurance and
37 compliance with the requirements for reinstatement of registration
38 prescribed in paragraph (a) of subsection 6 of NRS 482.480.

39 6. If a registered owner proves to the satisfaction of the
40 Department that the vehicle was a dormant vehicle during the period
41 in which the information provided pursuant to NRS 485.314
42 indicated that there was no insurance for the vehicle, the Department
43 shall reinstate the registration and, if applicable, reissue the license
44 plates. ~~##~~ *Except as otherwise provided in subsection 7, if* such an
45 owner of a dormant vehicle failed to cancel the registration for the



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1 vehicle in accordance with subsection 3 of NRS 485.320, the
2 Department shall not reinstate the registration or reissue the license
3 plates unless the owner pays the fee set forth in paragraph (b) of
4 subsection 6 of NRS 482.480.

5 7. If the Department suspends the registration of a motor
6 vehicle pursuant to subsection 4 because the registered owner of the
7 motor vehicle failed to have insurance on the date specified in the
8 form for verification, and if the registered owner, in accordance with
9 regulations adopted by the Department, proves to the satisfaction of
10 the Department that the owner was unable to comply with the
11 provisions of NRS 485.185 on that date because of extenuating
12 circumstances, the Department may:

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

17 (b) Rescind the suspension of the registration without the
18 payment of a fee ~~+~~ *and, if the registered owner proves to the*
19 *satisfaction of the Department that the vehicle was a dormant*
20 *vehicle during the period in which the information provided*
21 *pursuant to NRS 485.314 indicated that there was no insurance*
22 *for the vehicle, without the payment of any fine prescribed by*
23 *NRS 482.557.*

24 ➤ The Department shall adopt regulations to carry out the
25 provisions of this subsection.

26 **Sec. 6.** This act becomes effective on July 1, 2013.

