

CHAPTER.....

AN ACT relating to vehicle dealers; revising provisions relating to used vehicle dealers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a used vehicle dealer may only sell a new vehicle if the new vehicle is: (1) sold at wholesale and was taken in trade or acquired as a result of a sales contract to a new vehicle dealer; (2) sold at wholesale through a wholesale vehicle auction provided that the auctioneer does not take an ownership interest in the vehicle and auctions the vehicle to a new vehicle dealer; or (3) sold on consignment from a person not licensed as a vehicle dealer, rebuilder or a long-term or short-term lessor. (NRS 482.350) This bill authorizes a used vehicle dealer to sell a new vehicle if the vehicle has been substantially modified by the used vehicle dealer or a third party for use by or for a person with a disability.

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

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

Section 1. NRS 482.350 is hereby amended to read as follows:
482.350 1. Except for a manufacturer described in subsection
2 of NRS 482.078:

(a) A new vehicle dealer's license shall not be furnished to any dealer in new vehicles, trailers or semitrailers unless the dealer first furnishes the Department an instrument executed by or on behalf of the manufacturer certifying that the dealer is an authorized franchised dealer for the make or makes of vehicle concerned.

(b) New vehicle dealers are authorized to sell at retail only those new vehicles for which they are certified as franchised dealers by the manufacturer.

2. In addition to selling used vehicles, a used vehicle dealer may:

(a) Sell at wholesale a new vehicle taken in trade or acquired as a result of a sales contract to a new vehicle dealer who is licensed and authorized to sell that make of vehicle;

(b) Sell at wholesale a new vehicle through a wholesale vehicle auction provided that the wholesale vehicle auctioneer:

(1) Does not take an ownership interest in the vehicle; and

(2) Auctions the vehicle to a vehicle dealer who is licensed and authorized to sell that make of vehicle or to an automobile wrecker who is licensed in this State or any other state; ~~for~~



(c) Sell a new vehicle on consignment from a person not licensed as a vehicle dealer, rebuilder or a long-term or short-term lessor ~~H~~; or

(d) Sell a new vehicle if it has been substantially modified by the used vehicle dealer or a third party for use by a driver or passenger who is a person with a disability.

3. *As used in this section:*

(a) "Person with a disability" has the meaning ascribed to it in NRS 433.5473.

(b) "Substantially modified" means equipped or adapted for the purpose of aiding or allowing a person with a disability to operate, travel in, enter, exit or load a vehicle. The term includes, without limitation:

(1) Mechanical or structural changes to a vehicle that allow a person with a disability to safely drive or ride as a passenger;

(2) A device or mechanism that is used for loading or unloading a wheelchair or scooter and is mounted on the roof, in the passenger area, in the trunk or other storage area of a vehicle; and

(3) Mechanical or electrical adaptive control devices that are installed in a vehicle to enable a person with mobility restrictions to control, without limitation, the accelerator, foot brake, turn signals, dimmer switch, steering wheel or parking brake of a vehicle.

Sec. 2. This act becomes effective on July 1, 2015.

