

Amendment No. 147

Assembly Amendment to Assembly Bill No. 143

(BDR 43-28)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/> _____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/> _____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/> _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

DLJ/WLK



Date: 3/27/2015

A.B. No. 143—Authorizes electronic verification of motor vehicle insurance.
(BDR 43-28)



ASSEMBLY BILL NO. 143—ASSEMBLYMEN CARRILLO, ELLIOT ANDERSON;
BUSTAMANTE ADAMS, DIAZ, JOINER, NEAL, OHRENSCHALL, STEWART AND
WHEELER

FEBRUARY 11, 2015

Referred to Committee on Transportation

SUMMARY—Authorizes electronic verification of motor vehicle insurance.
(BDR 43-28)

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 motor vehicles; authorizing an insurer who provides a contract of insurance for the operation of a motor vehicle to provide, upon the request of the insured and to the extent available, evidence of that insurance in an electronic format that can be displayed on a mobile electronic device; prohibiting a peace officer to whom such a device is presented for the purpose of showing evidence of insurance from *intentionally* viewing any other content on the device; providing that the person presenting such a device for the purpose of showing evidence of insurance assumes all liability for any damage to the device; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, an insurer who provides a contract of insurance for the operation of a motor vehicle must provide evidence of insurance to the insured on a form approved by the Commissioner of Insurance. (NRS 690B.023) **Section 4** of this bill authorizes such an insurer to provide, upon the request of the insured and to the extent available, evidence of insurance in an electronic format that can be displayed on a mobile electronic device. The insured may also request that the insurer provide the insured with the evidence of insurance form. **Section 4** also provides that a person who presents a mobile electronic device to another person to provide evidence of insurance assumes all liability for any resulting damage to the mobile electronic device.

Existing law requires that a person applying for registration of a fleet of vehicles provide the Department of Motor Vehicles with evidence of insurance for those vehicles. (NRS 482.215) **Section 1** of this bill newly provides that the evidence of insurance may be provided in an electronic format.

Existing law requires a peace officer who stops a vehicle for violating certain traffic laws to demand proof of insurance. (NRS 484A.650) **Section 2** of this bill newly provides that, if the evidence of insurance provided to the peace officer by the driver of the vehicle is in an

electronic format displayed on a mobile electronic device, the peace officer shall not **intentionally** view any other content on the mobile electronic device. A violation of this prohibition would be punished as a misdemeanor under existing law. (NRS 484A.900)

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

Section 1. NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except applications for renewal of registration, must be made as provided in this section.

2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer.

3. Each application must be made upon the appropriate form furnished by the Department and contain:

(a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable.

(b) The owner's residential address.

(c) The owner's declaration of the county where he or she intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid.

(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle.

(e) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5:

(1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185; and

(2) A declaration signed by the applicant that he or she will maintain the insurance required by NRS 485.185 during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this subparagraph.

(f) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185:

(1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance;

(2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle or the registered owner of the vehicle; or

(3) In another form satisfactory to the Department **H**, *including, without limitation, an electronic format authorized by NRS 690B.023.*

➤ The Department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of the applicant's compliance with controls over emission.

(h) If the application for registration is submitted via the Internet, a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registered for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c). The application form must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution.

4. The application must contain such other information as is required by the Department or registered dealer and must be accompanied by proof of ownership satisfactory to the Department.

5. For purposes of the evidence required by paragraph (f) of subsection 3:

(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his or her original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his or her original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his or her certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file *or provide electronic* evidence of that insurance.

Sec. 2. NRS 484A.650 is hereby amended to read as follows:

484A.650 *1.* Whenever the driver of a vehicle is stopped by a peace officer for violating a provision of chapters 484A to 484E, inclusive, of NRS, except for violating a provision of NRS 484B.440 to 484B.523, inclusive, the officer shall demand proof of the insurance required by NRS 485.185 or 490.0825 and issue a citation as provided in NRS 484A.630 if the officer has probable cause to believe that the driver of the vehicle is in violation of NRS 485.187 or subsection 4 of NRS 490.520. If the driver of the vehicle is not the owner, a citation must also be issued to the owner, and in such a case the driver:

~~1-1~~ (a) May sign the citation on behalf of the owner; and

~~1-2~~ (b) Shall notify the owner of the citation within 3 days after it is issued.

➤ The agency which employs the peace officer shall immediately forward a copy of the citation to the registered owner of the vehicle, by certified mail, at his or her address as it appears on the certificate of registration.

2. When the evidence of insurance provided by the driver of the vehicle upon the demand of the peace officer is in an electronic format displayed on a mobile electronic device, the peace officer may view only the evidence of insurance and shall not intentionally view any other content on the mobile electronic device.

Sec. 3. NRS 485.034 is hereby amended to read as follows:

485.034 "Evidence of insurance" means:

1. The ~~form~~ *information* provided by an insurer *in a form approved* pursuant to NRS 690B.023 as evidence of a contract of insurance for a motor vehicle liability policy; or

2. The certificate of self-insurance issued to a self-insurer by the Department pursuant to NRS 485.380.

Sec. 4. NRS 690B.023 is hereby amended to read as follows:

690B.023 ~~HH~~

1. Except as otherwise provided in subsection 2, if insurance for the operation of a motor vehicle required pursuant to NRS 485.185 is provided by a contract of insurance, the insurer shall:

~~HH~~ (a) Provide evidence of insurance to the insured on a form approved by the Commissioner. The evidence of insurance must include:

~~(e)~~ (1) The name and address of the policyholder;

~~(b)~~ (2) The name and address of the insurer;

~~(e)~~ (3) Vehicle information, consisting of:

~~(1)~~ (I) The year, make and complete identification number of the insured vehicle or vehicles; or

~~(2)~~ (II) The word "Fleet" and the name of the registered owner if the vehicle is covered under a fleet policy written on an any auto basis or blanket policy basis;

~~(e)~~ (4) The term of the insurance, including the day, month and year on which the policy:

~~(1)~~ (I) Becomes effective; and

~~(2)~~ (II) Expires;

~~(e)~~ (5) The number of the policy;

~~(f)~~ (6) A statement that the coverage meets the requirements set forth in NRS 485.185; and

~~(g)~~ (7) The statement "This ~~form~~ *evidence of insurance* must be carried in the insured motor vehicle for production upon demand." The statement must be prominently displayed.

~~(2)~~ (b) Provide new evidence of insurance if:

~~(a)~~ (1) The information regarding the insured vehicle or vehicles required pursuant to ~~paragraph (e) of subsection 1~~ *subparagraph (3) of paragraph (a)* no longer is accurate;

~~(b)~~ (2) An additional motor vehicle is added to the policy;

~~(e)~~ (3) A new number is assigned to the policy; or

~~(d)~~ (4) The insured notifies the insurer that the original evidence of insurance has been lost.

2. Upon the request of an insured and to the extent available, the insurer may provide the evidence of insurance in an electronic format that can be displayed on a mobile electronic device. The electronic format must provide for the inclusion of all information required by paragraph (a) of subsection 1. An insured who makes such a request may also request that the insurer provide the insured with the form provided for in subsection 1.

3. A person who presents a mobile electronic device to another person to provide evidence of insurance assumes all liability for any resulting damage to the mobile electronic device.

Sec. 5. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On ~~January 1, 2016~~ *October 1, 2015*, for all other purposes.