

Amendment No. 84

Assembly Amendment to Assembly Bill No. 145 (BDR 43-54)

Proposed by: Assembly Committee on Transportation

Amends: Summary: No Title: No 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/MSM



Date: 3/31/2015

A.B. No. 145—Revises provisions governing the registration of vehicles.

(BDR 43-54)



ASSEMBLY BILL NO. 145—COMMITTEE ON TRANSPORTATION

FEBRUARY 11, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the registration of vehicles.
(BDR 43-54)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 vehicle registration; revising provisions governing the pro rata refund of registration fees and governmental services tax paid on a vehicle that is due when the registration is cancelled under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, if a person cancels his or her registration for a vehicle and surrenders to the Department of Motor Vehicles the license plates for the vehicle, the Department is required, under certain circumstances, to refund to the person the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis. The Department is only required to provide such a refund if: (1) the request is made at the time the registration is cancelled and the license plates are surrendered; (2) the person requesting the refund is a resident of Nevada; (3) the amount eligible for refund exceeds \$100; and (4) evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. The term "extenuating circumstances" is defined to mean circumstances wherein: (1) the person has recently relinquished his or her driver's license and has sold or otherwise disposed of his or her vehicle; (2) the vehicle has been determined to be inoperable and the person does not transfer the registration to a different vehicle; (3) the owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle; or (4) any other event occurs which the Department, by regulation, has defined to constitute an extenuating circumstance. (NRS 482.399)

This bill revises that provision to ~~provide~~ **set forth** that, in the case where the owner of a vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle, the Department is required to refund to the guardians or survivors the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis regardless of the residency of the person requesting the refund or the amount eligible for refund, ~~provided that~~ **but only if the person : (1) cancels the registration and surrenders the license plates not more than 60 days after the vehicle is sold or otherwise disposed of ; and ; (2) requests the refund at the time the registration is cancelled and the license plates are surrendered ; and (3) the amount eligible for refund exceeds \$100.**

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

Section 1. NRS 482.399 is hereby amended to read as follows:

482.399 1. Upon the transfer of the ownership of or interest in any vehicle by any holder of a valid registration, or upon destruction of the vehicle, the registration expires.

2. Except as otherwise provided in subsection 3 of NRS 482.483, the holder of the original registration may transfer the registration to another vehicle to be registered by the holder and use the same regular license plate or plates or special license plate or plates issued pursuant to NRS 482.3667 to 482.3823, inclusive, or 482.384, on the vehicle from which the registration is being transferred, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he or she is transferring ownership or interest. Except as otherwise provided in NRS 482.294, an application for transfer of registration must be made in person, if practicable, to any office or agent of the Department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete.

3. In computing the governmental services tax, the Department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers ownership or interest in two or more vehicles, the Department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner.

4. In computing the registration fee, the Department or its agent or the registered dealer shall credit the portion of the registration fee paid on each vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis against the registration fee due on the vehicle to which registration is transferred.

5. If the amount owed on the registration fee or governmental services tax on the vehicle to which registration is transferred is less than the credit on the total registration fee or governmental services tax paid on all vehicles from which a person transfers ownership or interest, no refund may be allowed by the Department.

6. If the license plate or plates are not appropriate for the second vehicle, the plate or plates must be surrendered to the Department or registered dealer and an appropriate plate or plates must be issued by the Department. The Department shall not reissue the surrendered plate or plates until the next succeeding licensing period.

7. If application for transfer of registration is not made within 60 days after the destruction or transfer of ownership of or interest in any vehicle, the license

plate or plates must be surrendered to the Department on or before the 60th day for cancellation of the registration.

8. Except as otherwise provided in subsection 2 of NRS 371.040 and subsection 7 of NRS 482.260, if a person cancels his or her registration and surrenders to the Department the license plates for a vehicle, the Department shall, in accordance with the provisions of subsection 9 ~~H~~ *or 10, as applicable*, issue to the person a refund of the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis.

9. ~~The~~ *Except as otherwise provided in subsection 10, the* Department shall issue a refund pursuant to subsection 8 only if the request for a refund is made at the time the registration is cancelled and the license plates are surrendered, the person requesting the refund is a resident of Nevada, the amount eligible for refund exceeds \$100, and evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. For the purposes of this subsection, the term "extenuating circumstances" means circumstances wherein:

(a) The person has recently relinquished his or her driver's license and has sold or otherwise disposed of his or her vehicle.

(b) The vehicle has been determined to be inoperable and the person does not transfer the registration to a different vehicle.

(c) ~~The owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle.~~

~~(d)~~ Any other event occurs which the Department, by regulation, has defined to constitute an "extenuating circumstance" for the purposes of this subsection.

10. The Department shall issue a refund pursuant to subsection 8 if:

(a) Evidence satisfactory to the Department is submitted which reasonably proves that the owner of the vehicle is seriously ill or has died and the guardians or survivors, including, without limitation, the spouse or domestic partner of the owner, have sold or otherwise disposed of the vehicle;

(b) The guardians or survivors cancel the registration and surrender the license plates not more than 60 days after the vehicle is sold or otherwise disposed of; ~~and~~

(c) The guardians or survivors request the refund at the time the registration is cancelled and the license plates are surrendered ~~if~~; and

(d) The amount eligible for refund exceeds \$100.

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