

Amendment No. 35

Assembly Amendment to Assembly Bill No. 60 (BDR 43-221)

Proposed by: Assembly Committee on Transportation

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 60 (§§ 1, 4-12).

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/JRS



Date: 4/4/2017

A.B. No. 60—Revises provisions governing the initial issuance and reinstatement of certain licenses relating to vehicles. (BDR 43-221)



ASSEMBLY BILL NO. 60—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the initial issuance and reinstatement of certain licenses relating to vehicles. (BDR 43-221)

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 vehicles; requiring the payment of a fee and the submission of certain information for the reinstatement of certain licenses relating to vehicles which are not timely renewed; revising provisions relating to fingerprint requirements for certain initial licenses relating to vehicles; repealing provisions requiring the payment of a fee for the issuance of certain temporary placards; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a license issued by the Department of Motor Vehicles is required for a person who wishes to operate as a: (1) vehicle transporter; (2) motor vehicle manufacturer; (3) motor vehicle distributor; (4) new and used vehicle dealer; (5) vehicle rebuilder; (6) broker of vehicles; (7) automobile wrecker; (8) salvage pool; or (9) body shop. (NRS 482.3161, 482.322, 482.333, 487.050, 487.410, 487.610) Registration with the Department is required under existing law for a person who wishes to operate a garage. (NRS 487.560) Existing law also provides for the renewal of all such licenses and registration. (NRS 482.3163, 482.325, 482.333, 487.070, 487.430, 487.565, 487.630) **Sections 1, 4, 5, 8 and 10-12** of this bill establish a late fee of \$25 for the reinstatement of such licenses and registration if the license or registration, as applicable, is allowed to expire before renewal. **Section 2** of this bill establishes certain requirements for a vehicle transporter who electronically submits the statement required for licensure regarding child support to retain the original version of such a statement for 3 years after submission. (NRS 482.31632)

Under existing law, the Department requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer, distributor, dealer or rebuilder, a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report. (NRS 482.3163, 482.325, 482.333, 482.362) The Department also requires a person applying for initial licensure to operate as a vehicle transporter, a motor vehicle manufacturer, distributor, dealer or rebuilder, to pay a processing fee established by the Department in regulation for the fingerprints. (NRS 482.3163, 482.325) **Sections 5 and 6** of this bill require a person applying for initial licensure to operate as a broker of vehicles or a salesperson of vehicles, trailers or semitrailers to pay a fee established by the Department by regulation for processing the fingerprints. **Section 13** of this bill makes a conforming change. (NRS 490.210) **Sections 7, 9**

and 12 of this bill require a person applying for initial licensure to operate as an automobile wrecker, a salvage pool or a body shop to submit a complete set of fingerprints for submission to the Federal Bureau of Investigation for its report and to pay a fee established by the Department by regulation for processing the fingerprints. (NRS 487.050, 487.410, 487.630) **Sections 7, 9 and 12 also require an application form for such licensure to designate the persons whose names must appear on the form.**

Existing law requires a seller or long-term lessor of a vehicle to attach to a vehicle he or she has sold or leases a temporary placard which authorizes the operation of such a vehicle on the highways of this State for a period not to exceed 30 days. (NRS 482.423-482.4245) The temporary placard must be removed when the vehicle is registered and license plates are affixed. Existing law requires the Department to collect a fee for each such temporary placard issued to a seller or long-term lessor of vehicles. (NRS 482.4247) **Section 14** of this bill repeals the requirement for the collection of such a fee. **Section 3** of this bill makes a conforming change. (NRS 482.31776)

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

Section 1. NRS 482.3163 is hereby amended to read as follows:

482.3163 1. An application for a license as a vehicle transporter must be accompanied by a fee of \$100, be submitted on forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear on the forms. An additional fee for the processing of fingerprints must be submitted for each applicant for initial licensure. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

2. The application for a license as a vehicle transporter must contain:

(a) The applicant's name and address; and

(b) Such other information as the Department requires.

3. Each applicant for initial licensure shall submit with the application:

(a) A complete set of his or her fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632.

4. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license as a vehicle transporter.

5. A license issued pursuant to this section expires on December 31 of each year. Before December 31 of each year, a licensee must submit to the Department, on forms supplied by the Department and in the manner specified by the Department, an application for renewal accompanied by an annual fee for renewal of \$50. If the applicant is a natural person, the application also must be accompanied by the statement required pursuant to NRS 482.31632.

6. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:

(a) The application for renewal and the annual fee for renewal as required in subsection 5;

(b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632; and

1 *(c) A late fee of \$25.*

2 **Sec. 2.** NRS 482.31632 is hereby amended to read as follows:

3 482.31632 1. ~~1. A late fee of \$25.~~ *Except as otherwise provided in subsection 5, an*
4 applicant for the issuance or renewal of a license as a vehicle transporter shall
5 submit to the Department the statement prescribed by the Division of Welfare and
6 Supportive Services of the Department of Health and Human Services pursuant to
7 NRS 425.520. The statement must be completed and signed by the applicant.

8 2. The Department shall include the statement required pursuant to subsection
9 1 in:

10 (a) The application or any other forms that must be submitted for the issuance
11 or renewal of the license; or

12 (b) A separate form prescribed by the Department.

13 3. A license as a vehicle transporter may not be issued or renewed by the
14 Department if the applicant:

15 (a) Fails to submit the statement required pursuant to subsection 1; or

16 (b) Indicates on the statement submitted pursuant to subsection 1 that the
17 applicant is subject to a court order for the support of a child and is not in
18 compliance with the order or a plan approved by the district attorney or other public
19 agency enforcing the order for the repayment of the amount owed pursuant to the
20 order.

21 4. If an applicant indicates on the statement submitted pursuant to subsection
22 1 that the applicant is subject to a court order for the support of a child and is not in
23 compliance with the order or a plan approved by the district attorney or other public
24 agency enforcing the order for the repayment of the amount owed pursuant to the
25 order, the Department shall advise the applicant to contact the district attorney or
26 other public agency enforcing the order to determine the actions that the applicant
27 may take to satisfy the arrearage.

28 *5. If a licensee renews an existing license electronically, the licensee shall*
29 *keep the original of the statement required pursuant to subsection 1 at his or her*
30 *place of business for not less than 3 years after submitting the electronic renewal.*
31 *The statement must be available during business hours for inspection by any*
32 *authorized agent of the Director or the State of Nevada.*

33 **Sec. 3.** NRS 482.31776 is hereby amended to read as follows:

34 482.31776 1. A consignee of a vehicle shall, upon entering into a
35 consignment contract or other form of agreement to sell a vehicle owned by another
36 person:

37 (a) Open and maintain a separate trust account in a federally insured bank or
38 savings and loan association that is located in this State, into which the consignee
39 shall deposit all money received from a prospective buyer as a deposit, or as partial
40 or full payment of the purchase price agreed upon, toward the purchase or transfer
41 of interest in the vehicle. A consignee of a vehicle shall not:

42 (1) Commingle the money in the trust account with any other money that is
43 not on deposit or otherwise maintained toward the purchase of the vehicle subject
44 to the consignment contract or agreement; or

45 (2) Use any money in the trust account to pay his or her operational
46 expenses for any purpose that is not related to the consignment contract or
47 agreement.

48 (b) Obtain from the consignor, before receiving delivery of the vehicle, a
49 signed and dated disclosure statement that is included in the consignment contract
50 and provides in at least 10-point bold type or font:

IMPORTANT NOTICE TO VEHICLE OWNERS

State law (NRS 482.31776) requires that the operator of this business file a Uniform Commercial Code 1 (UCC1) form with the Office of the Secretary of State on your behalf to protect your interest in your vehicle. The form is required to protect your vehicle from forfeiture in the event that the operator of this business fails to meet his or her financial obligations to a third party holding a security interest in his or her inventory. The form must be filed by the operator of this business before the operator may take possession of your vehicle. If the form is not filed as required, YOU MAY LOSE YOUR VEHICLE THROUGH NO FAULT OF YOUR OWN. For a copy of the UCC1 form filed on your behalf or for more information, please contact:

The Office of the Secretary of State of Nevada
Uniform Commercial Code Division
~~(775) 684-5708~~ (775) 684-7100

I understand and acknowledge the above disclosure.

.....
Consignee Signature

.....
Date

(c) Assist the consignor in completing, with respect to the consignor's purchase-money security interest in the vehicle, a financing statement of the type described in subsection 5 of NRS 104.9317 and shall file the financing statement with the Secretary of State on behalf of the consignor. If a consignee has previously granted to a third party a security interest with an after-acquired property clause in the consignee's inventory, the consignee additionally shall assist the consignor in sending an authenticated notification, as described in paragraph (b) of subsection 1 of NRS 104.9324, to each holder of a conflicting security interest. The consignee must not receive delivery of the vehicle until the consignee has:

(1) Filed the financing statement with the Secretary of State; and

(2) If applicable, assisted the consignor in sending an authenticated notification to each holder of a conflicting security interest.

2. Upon the sale or transfer of interest in the vehicle, the consignee shall forthwith:

(a) Satisfy or cause to be satisfied all outstanding security interests in the vehicle; and

(b) Satisfy the financial obligations due the consignor pursuant to the consignment contract.

3. Upon the receipt of money by delivery of cash, bank check or draft, or any other form of legal monetary exchange, or after any form of transfer of interest in a vehicle, the consignee shall notify the consignor that the money has been received or that a transfer of interest in the vehicle has occurred. Notification by the consignee to the consignor must be given in person or, in the absence of the consignor, by registered or certified mail addressed to the last address or residence of the consignor known to the consignee. The notification must be made within 3 business days after the date on which the money is received or the transfer of interest in the vehicle is made.

4. The provisions of this section do not apply to:

(a) An executor;

(b) An administrator;

(c) A sheriff;
(d) A salvage pool subject to the provisions of NRS 487.400 to 487.510, inclusive; or

(e) Any other person who sells a vehicle pursuant to the powers or duties granted to or imposed on him or her by specific statute.

5. Notwithstanding any provision of NRS 482.423 to ~~482.4247~~ 482.4245, inclusive, to the contrary, a vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.423 to ~~482.4247~~ 482.4245, inclusive, by displaying a temporary placard to operate the vehicle unless the operation of the vehicle is authorized by the express written consent of the consignor.

6. A vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.320 by displaying a special plate unless the operation of the vehicle is authorized by the express written consent of the consignor.

7. A consignee shall maintain a written log for each vehicle for which he or she has entered into a consignment contract. The written log must include:

(a) The name and address, or place of residence, of the consignor;
(b) A description of the vehicle consigned, including the year, make, model and serial or identification number of the vehicle;

(c) The date on which the consignment contract is entered into;

(d) The period that the vehicle is to be consigned;

(e) The minimum agreed upon sales price for the vehicle;

(f) The approximate amount of money due any lienholder or other person known to have an interest in the vehicle;

(g) If the vehicle is sold, the date on which the vehicle is sold;

(h) The date that the money due the consignor and the lienholder was paid;

(i) The name and address of the federally insured bank or savings and loan association in which the consignee opened the trust account required pursuant to subsection 1; and

(j) The signature of the consignor acknowledging that the terms of the consignment contract were fulfilled or terminated, as appropriate.

8. A person who:

(a) Appropriates, diverts or otherwise converts to his or her own use money in a trust account opened pursuant to paragraph (a) of subsection 1 or otherwise subject to a consignment contract or agreement is guilty of embezzlement and shall be punished in accordance with NRS 205.300. The court shall, in addition to any other penalty, order the person to pay restitution.

(b) Violates paragraph (b) or (c) of subsection 1 is guilty of a misdemeanor. The court shall, in addition to any other penalty, order the person to pay restitution.

(c) Violates any other provision of this section is guilty of a misdemeanor.

Sec. 4. NRS 482.325 is hereby amended to read as follows:

482.325 1. An application for a manufacturer's, distributor's, dealer's or rebuilder's license must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant shall furnish:

(a) Such proof as the Department may deem necessary that the applicant is a manufacturer, distributor, dealer or rebuilder.

(b) A fee of \$125.

(c) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(d) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(e) If the applicant is a natural person, the statement required pursuant to NRS 482.319.

(f) A certificate of insurance for automobile liability.

2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a dealer's, manufacturer's, distributor's or rebuilder's license containing the name of the licensee and the address of the licensee's established place of business or the address of the main office of a manufacturer without an established place of business in this State.

3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of the license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department.

4. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of:

(a) The application for renewal and the annual fee for renewal required in subsection 3;

(b) If the applicant is a natural person, the statement required pursuant to NRS 482.319;

(c) The additional fee for processing fingerprints required in subsection 3, if applicable; and

(d) A late fee of \$25.

Sec. 5. NRS 482.333 is hereby amended to read as follows:

482.333 1. A person shall not engage in the activity of a broker of vehicles in this State without first having received a license from the Department. Before issuing a license to a broker, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant desires to be licensed as a broker, his or her residential address, his or her social security number and the address of his or her principal place of business. ~~††~~

(b) A statement as to whether any previous application of the applicant for a license as a vehicle dealer or broker has been denied or whether such a license has been suspended or revoked. ~~††~~

(c) Payment of a nonrefundable license fee of \$125. ~~††~~

(d) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(e) For initial licensure, the submission of a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. ~~†-and~~

~~—(e)†~~ (f) Any other information the Department deems necessary.

1 ↪ A license issued pursuant to this section expires on December 31 of the year in
2 which it was issued and may be renewed annually upon the payment of a fee of
3 \$50. *If a licensee fails to renew his or her license before it expires on December*
4 *31, the license may be reinstated upon the payment to the Department of the*
5 *annual renewal fee of \$50 and a late fee of \$25.*

6 2. The Department may deny the issuance of, suspend or revoke a license to
7 engage in the activities of a broker of vehicles upon any of the following grounds:

8 (a) Failure of the applicant to have an established place of business in this
9 State.

10 (b) Conviction of a felony in this State or any other state, territory or nation.

11 (c) Material misstatement in the application.

12 (d) Evidence of unfitness of the applicant or licensee.

13 (e) Failure or refusal to provide to the Department an authorization for the
14 disclosure of financial records for the business as required pursuant to subsection 6.

15 (f) Willful failure to comply with a provision of the motor vehicle laws of this
16 State or a directive of the Director. For the purpose of this paragraph, failure to
17 comply with a directive of the Director advising the licensee of noncompliance with
18 a provision of the motor vehicle laws of this State or a regulation of the
19 Department, within 10 days after the receipt of the directive, is prima facie
20 evidence of willful failure to comply with the directive.

21 (g) Failure or refusal to furnish and keep in force any bond.

22 (h) Failure on the part of the licensee to maintain a fixed place of business in
23 this State.

24 (i) Failure or refusal by the licensee to pay or otherwise discharge a final
25 judgment against the licensee rendered and entered against the licensee, arising out
26 of the misrepresentation of a vehicle, trailer or semitrailer, or out of a fraud
27 committed in connection with the brokering of a vehicle, trailer or semitrailer.

28 (j) Failure of the licensee to maintain any other license or bond required by a
29 political subdivision of this State.

30 (k) Any other reason determined by the Director to be in the best interests of
31 the public.

32 ↪ The Director may deny the issuance of a license to an applicant or revoke a
33 license already issued if the Department is satisfied that the applicant or licensee is
34 not entitled thereto.

35 3. If an application for a broker's license has been denied, the applicant may
36 not reapply sooner than 6 months after the denial.

37 4. A broker's license must be posted in a conspicuous place on the premises
38 of the broker's principal place of business.

39 5. If any information submitted in the application for a broker's license
40 changes, the broker shall submit a written notice of the change to the Department
41 within 10 days after the change occurs.

42 6. Upon the receipt of any report or complaint alleging that an applicant or a
43 licensee has engaged in financial misconduct or has failed to satisfy financial
44 obligations related to the activity of a broker of vehicles, the Department may
45 require the applicant or licensee to submit to the Department an authorization for
46 the disclosure of financial records for the business as provided in NRS 239A.090.
47 The Department may use any information obtained pursuant to such an
48 authorization only to determine the suitability of the applicant or licensee for initial
49 or continued licensure. Information obtained pursuant to such an authorization may
50 be disclosed only to those employees of the Department who are authorized to issue
51 a license to an applicant pursuant to NRS 482.333 to 482.334, inclusive, or to
52 determine the suitability of an applicant or a licensee for such licensure.

7. Except as otherwise provided in NRS 482.555, any person who fails to comply with the provisions of this section is guilty of a misdemeanor.

Sec. 6. NRS 482.362 is hereby amended to read as follows:

482.362 1. A person shall not engage in the activity of a salesperson of vehicles, trailers or semitrailers, or act in the capacity of a salesperson as defined by this chapter, in the State of Nevada without first having received a license or temporary permit from the Department. Before issuing a license or temporary permit to engage in the activity of a salesperson, the Department shall require:

(a) An application, signed and verified by the applicant, stating that the applicant is to engage in the activity of a salesperson, his or her residence address, and the name and address of the applicant's employer.

(b) Proof of the employment of the applicant by a licensed and bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at the time the application is filed.

(c) A statement as to whether any previous application of the applicant has been denied or license revoked.

(d) Payment of a nonrefundable license fee of \$75. The license expires on December 31 of each calendar year and may be renewed annually upon the payment of a fee of \$40.

(e) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(f) For initial licensure, the applicant to submit a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

~~(f)(g)~~ (g) Any other information the Department deems necessary.

2. The Department may issue a 60-day temporary permit to an applicant who has submitted an application and paid the required ~~fee~~ fees.

3. A license to act as a salesperson of vehicles, trailers or semitrailers, or to act in the capacity of a salesperson as defined in this chapter, issued pursuant to this chapter does not permit a person to engage in the business of selling mobile homes.

4. An application for a salesperson's license may be denied and a salesperson's license may be suspended or revoked upon the following grounds:

(a) Failure of the applicant to establish by proof satisfactory to the Department that the applicant is employed by a licensed and bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or rebuilder.

(b) Conviction of a felony.

(c) Conviction of a gross misdemeanor.

(d) Conviction of a misdemeanor for violation of any of the provisions of this chapter.

(e) Falsification of the application.

(f) Evidence of unfitness as described in NRS 482.3255.

(g) Failure of the applicant to provide any information deemed necessary by the Department to process the application.

(h) Any reason determined by the Director to be in the best interests of the public.

5. Except where a dealer, lessor or rebuilder has multiple branches licensed under NRS 482.326, a salesperson of vehicles shall not engage in any sales activity, or act in any other capacity as a salesperson as defined in this chapter, other than

for the account of or for and in behalf of a single employer, at a specified place of business of that employer, who must be a licensed dealer, lessor or rebuilder.

6. If an application for a salesperson's license has been denied, the applicant may reapply not less than 6 months after the denial.

7. A salesperson's license must be posted in a conspicuous place on the premises of the dealer, lessor or rebuilder for whom the salesperson is licensed to sell vehicles.

8. If a licensed salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the license to act as a salesperson is automatically suspended and the right to act as a salesperson thereupon immediately ceases, and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

9. If a licensed salesperson changes his or her residential address, the salesperson shall submit a written notice of the change to the Department within 10 days.

10. If a person who holds a temporary permit to act as a salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the permit to act as a salesperson is automatically suspended, the right to act as a salesperson thereupon immediately ceases and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer.

11. A licensed dealer, lessor or rebuilder who employs a licensed salesperson shall notify the Department of the termination of his or her employment within 10 days following the date of termination by forwarding the salesperson's license to the Department.

12. Any person who fails to comply with the provisions of this section is guilty of a misdemeanor except as otherwise provided in NRS 482.555.

Sec. 7. NRS 487.050 is hereby amended to read as follows:

487.050 1. It is unlawful for any person to dismantle, scrap, process or wreck any vehicle without first applying for and obtaining a license for that operation from the Department.

2. An application for a license must be made on a form provided by the Department. ~~++ The forms must designate the persons whose names are required to appear thereon. The application must~~

include the social security number of the applicant and be accompanied by ~~such~~ :

(a) ~~Such~~ proof as the Department may require that the applicant:

~~++(1)~~ (1) Is a bona fide automobile wrecker; and

~~++(2)~~ (2) Owns or leases a place of business which meets the requirements of NRS 487.073.

(b) *A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.*

(c) *For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.*

(d) The fee for issuance of a license provided in NRS 487.080.

Sec. 8. NRS 487.070 is hereby amended to read as follows:

487.070 1. The Department may approve or reject the application. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant:

(a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant.

(b) A card which:

(1) Contains the information specified in paragraph (a);

(2) Includes a picture of the licensee; and

(3) Clearly identifies the holder of the card as a licensed automobile wrecker.

2. A licensee may obtain one or two cards for his or her business. The Department shall charge a fee of \$50 for each card issued. ~~{Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.}~~

3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license.

4. A license expires on April 30 of each year.

5. ~~{A}~~ *Except as otherwise provided in subsection 6, a* licensee may renew the license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003; and

(c) The fee for renewal of a license provided in NRS 487.080.

6. *A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of:*

(a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 5;

(b) The fee for renewal of a license provided in NRS 487.080; and

(c) A late fee of \$25.

7. *Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.*

Sec. 9. NRS 487.410 is hereby amended to read as follows:

487.410 1. No person may operate a salvage pool without first applying for and obtaining a license for that business from the Department.

2. An application for a license must be made on a form provided by the Department. ~~{A}~~ *The forms must designate the persons whose names are required to appear thereon. The application must* include the social security number of the applicant and be accompanied by ~~{such}~~ :

(a) Such proof as the Department requires that the applicant meets the statutory requirements to be an operator of a salvage pool.

(b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

(c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(d) The fee for issuance of a license provided in NRS 487.450.

1 **Sec. 10.** NRS 487.430 is hereby amended to read as follows:

2 487.430 1. The Department may approve or reject the application for a
3 license to operate a salvage pool. If the Department receives the statement required
4 pursuant to NRS 487.003 and approves the application, it shall issue to the
5 applicant a license containing the applicant's name and address, the name under
6 which the business is to be conducted, the business address, and a distinguishing
7 number assigned to the applicant.

8 2. A licensee shall post the license in a conspicuous place clearly visible to
9 the general public at the business address set forth on the license.

10 3. A license expires on April 30 of each year.

11 4. ~~It is~~ *Except as otherwise provided in subsection 5, a* licensee may renew
12 his or her license by submitting to the Department:

13 (a) A completed application for renewal upon a form supplied by the
14 Department;

15 (b) The statement required pursuant to NRS 487.003; and

16 (c) The fee for renewal of a license provided in NRS 487.450.

17 5. *A license that expires for failure to renew before April 30 may be*
18 *reinstated upon submission to the Department of:*

19 (a) *The application for renewal and statement specified in paragraphs (a)*
20 *and (b) of subsection 4;*

21 (b) *The fee for renewal of a license provided in NRS 487.450; and*

22 (c) *A late fee of \$25. Any fee collected by the Department pursuant to this*
23 *paragraph must be deposited with the State Treasurer for credit to the Motor*
24 *Vehicle Fund.*

25 **Sec. 11.** NRS 487.565 is hereby amended to read as follows:

26 487.565 1. If the Department receives an application for registration that
27 contains the information required by NRS 487.560, it shall issue to the applicant a
28 certificate of registration for each garage operated by the applicant. The certificate
29 must contain the name of the applicant, the name under which the applicant's
30 business will be conducted, the address of the business and the registration number
31 for the garage.

32 2. A certificate of registration is valid for 1 year after the date of issuance. A
33 garage operator may renew his or her *unexpired* registration by submitting to the
34 Department:

35 (a) An application for renewal on a form provided by the Department; and

36 (b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth
37 in that section.

38 3. *A garage operator seeking to renew a certificate of registration more*
39 *than 1 year after the date of issuance may reinstate his or her registration by*
40 *submitting to the Department:*

41 (a) *An application for renewal on a form provided by the Department;*

42 (b) *Except as otherwise provided in NRS 487.560, the fee for renewal set*
43 *forth in that section; and*

44 (c) *A late fee of \$25. Any fee collected by the Department pursuant to this*
45 *paragraph must be deposited with the State Treasurer for credit to the Motor*
46 *Vehicle Fund.*

47 **Sec. 12.** NRS 487.630 is hereby amended to read as follows:

48 487.630 1. An application for a license to operate a body shop must be filed
49 with the Department upon forms supplied by the Department. *The forms must*
50 *designate the persons whose names are required to appear thereon.* The
51 application must include the social security number of the applicant and must be
52 accompanied by ~~such~~ :

1 (a) *Such* proof as the Department requires to demonstrate that the applicant
2 meets the statutory requirements to operate a body shop.

3 (b) *A fee for the processing of fingerprints. The Department shall establish*
4 *by regulation the fee for processing fingerprints. The fee must not exceed the sum*
5 *of the amounts charged by the Central Repository for Nevada Records of*
6 *Criminal History and the Federal Bureau of Investigation for processing the*
7 *fingerprints.*

8 (c) *For initial licensure, a complete set of fingerprints and written*
9 *permission authorizing the Department to forward those fingerprints to the*
10 *Central Repository for Nevada Records of Criminal History for submission to the*
11 *Federal Bureau of Investigation for its report.*

12 (d) *The fee for issuance of a license required by subsection 2.*

13 2. The Department shall charge a fee of \$300 for the issuance or renewal of a
14 license to operate a body shop. ~~Fees collected by the Department pursuant to this~~
15 ~~subsection must be deposited with the State Treasurer for credit to the Motor~~
16 ~~Vehicle Fund.~~

17 3. Upon receipt of the application and the statement required pursuant to NRS
18 487.003 and when satisfied that the applicant is entitled thereto, the Department
19 shall issue to the applicant a license to operate a body shop. The license must
20 contain the name and the address of the body shop and the name of the operator.

21 4. Upon receipt of the license, the operator shall post the license in a
22 conspicuous place clearly visible to the general public in the body shop and include
23 the license number on all estimates and invoices for repairs.

24 5. A license expires on April 30 of each year.

25 6. ~~+~~ *Except as otherwise provided in subsection 7, a licensee may renew*
26 *his or her license by submitting to the Department:*

27 (a) A completed application for renewal upon a form supplied by the
28 Department;

29 (b) The statement required pursuant to NRS 487.003;

30 (c) Evidence satisfactory to the Department that the licensee has completed and
31 electronically submitted, within 60 days immediately preceding the date of the
32 submission of the application for renewal, the survey required pursuant to NRS
33 487.685; and

34 (d) The fee for renewal of a license provided in subsection 2.

35 7. *A license that expires for failure to renew before April 30 may be*
36 *reinstated upon submission to the Department of:*

37 (a) *The application, statement and evidence specified in paragraphs (a), (b)*
38 *and (c) of subsection 6;*

39 (b) *The fee for renewal of a license provided in subsection 2; and*

40 (c) *A late fee of \$25.*

41 8. *Fees collected by the Department pursuant to this section must be*
42 *deposited with the State Treasurer for credit to the Motor Vehicle Fund.*

43 Sec. 13. NRS 490.210 is hereby amended to read as follows:

44 490.210 1. An application for a license for an off-highway vehicle dealer,
45 long-term or short-term lessor or manufacturer must be filed upon forms supplied
46 by the Department and include the social security number of the applicant. The
47 forms must designate the persons whose names are required to appear thereon. The
48 applicant must furnish:

49 (a) Such proof as the Department may deem necessary that the applicant is an
50 off-highway vehicle dealer, long-term or short-term lessor or manufacturer.

51 (b) A fee of \$125.

52 (c) Unless the applicant has previously met the requirements of subsection 3 of
53 NRS 482.3163, paragraphs (c) and (d) of subsection 1 of NRS 482.325, ~~paragraph~~

1 *paragraphs* (d) *and (e)* of subsection 1 of NRS 482.333 or ~~(paragraph)~~ *paragraphs*
2 *(e) and (f)* of subsection 1 of NRS 482.362:

3 (1) A fee for the processing of fingerprints. The Department shall establish
4 by regulation the fee for processing fingerprints. The fee must not exceed the sum
5 of the amounts charged by the Central Repository for Nevada Records of Criminal
6 History and the Federal Bureau of Investigation for processing the fingerprints.

7 (2) For initial licensure, a complete set of the applicant's fingerprints and
8 written permission authorizing the Department to forward those fingerprints to the
9 Central Repository for Nevada Records of Criminal History for submission to the
10 Federal Bureau of Investigation for its report.

11 (d) If the applicant is a natural person, the statement required pursuant to NRS
12 490.330.

13 (e) A certificate of insurance for liability.

14 2. Upon receipt of the application and when satisfied that the applicant is
15 entitled thereto, the Department shall issue to the applicant a license for an off-
16 highway vehicle dealer, long-term or short-term lessor or manufacturer containing
17 the name of the licensee and the address of his or her established place of business
18 or the address of the main office of a manufacturer without an established place of
19 business in this State.

20 3. Licenses issued pursuant to this section expire on December 31 of each
21 year. Before December 31 of each year, a licensee must furnish the Department
22 with an application for renewal of his or her license accompanied by an annual fee
23 of \$50. If the applicant is a natural person, the application for renewal also must be
24 accompanied by the statement required pursuant to NRS 490.330. The additional
25 fee for the processing of fingerprints, established by regulation pursuant to
26 paragraph (c) of subsection 1, must be submitted for each applicant whose name
27 does not appear on the original application for the license. The renewal application
28 must be provided by the Department and contain information required by the
29 Department.

30 **Sec. 14.** NRS 482.4247 is hereby repealed.

31 **Sec. 15.** This act becomes effective on January 1, 2018.

TEXT OF REPEALED SECTION

482.4247 Temporary placards issued by Department; fee; disposition of proceeds.

1. The Department shall collect a fee for each temporary placard issued by the Department to a seller or long-term lessor pursuant to NRS 482.423 to 482.4245, inclusive. The fee may not exceed the cost to the Department of producing the temporary placard.

2. The fees collected pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to pay for the cost of producing the temporary placards.