

SENATE BILL NO. 339—SENATOR SETTELMAYER

MARCH 20, 2017

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to the Department of Motor Vehicles. (BDR 43-80)

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 the Department of Motor Vehicles; limiting the amount of fees and penalties that the Department may charge for the late renewal of registration of a vehicle or a driver's license or the late payment of certain excise taxes on special fuel; revising provisions relating to registration reinstatement fees the Department may charge a registered owner who failed to have insurance coverage on a vehicle in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits the Department of Motor Vehicles from imposing an additional fee against the owner of a vehicle for the delinquent or late registration of that vehicle if the owner was a member of the Armed Forces of the United States deployed to a combat or combat supporting position at the time of the expiration of the prior registration. (NRS 482.209) **Sections 1 and 4** of this bill provide that any such additional fee for delinquent or late registration by a person other than such a member of the Armed Forces of the United States must not exceed one-half of the fee for registration.

Existing law authorizes the installment payment of registration fees and governmental services taxes on a fleet of vehicles for each vehicle with a gross weight in excess of 26,000 pounds. (NRS 482.482) A person who fails to make such a payment when due must pay the Department a penalty of 10 percent of the amount of the unpaid fee, plus interest on the unpaid fee at the rate of 1 percent per month or fraction of a month from the date the fee and tax were due until the date of payment. **Section 3** of this bill provides that such a penalty plus interest must not exceed 50 percent of the unpaid fee.

Under existing law, a registered owner who failed to have liability insurance on a date specified by the Department is required, with respect to a vehicle that is not dormant, to pay to the Department a reinstatement fee as follows: (1) for a first



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offense, \$250; (2) for a second offense, \$500; and (3) for a third or subsequent offense, \$750. (NRS 482.557, 485.317) If the vehicle is dormant, a registered owner who allowed the insurance coverage for that vehicle to expire without first cancelling the registration must pay a fee of \$50 to reinstate the registration of the vehicle, in addition to the registration fee. (NRS 482.480, 485.317) **Sections 5 and 8** of this bill require the Department to adopt regulations which establish the amount of the reinstatement fee and limit that amount to not more than one-half of the registration fee.

Existing law provides a penalty of \$10 for each person renewing a driver's license after it has expired for a period of 30 days or more, with certain exceptions. (NRS 483.386, 483.410) **Sections 6 and 7** of this bill revise those provisions to require the Department to adopt regulations which establish the amount of the penalty and limit that amount to not more than one-half of the fee to renew the driver's license.

Under existing law, certain off-highway vehicles must be registered with the Department of Motor Vehicles. (NRS 490.082) The Commission on Off-Highway Vehicles must determine the fee for annual registration, which must not be less than \$20 or more than \$30. (NRS 490.084) The registration of an off-highway vehicle expires 1 year after its issuance. If the owner of an off-highway vehicle which is required to be registered fails to renew the registration before it expires, the registration may be reinstated upon the payment to the Department of the annual renewal fee and a late fee of \$25. (NRS 490.082) **Section 9** of this bill deletes the \$25 amount of the late fee, and **section 10** of this bill instead requires the Commission to determine the amount of the late fee, which must not exceed one-half of the amount of the registration fee.

Under existing law, a special fuel user who fails to file a tax return or pay any excise tax by the date due is required to pay, in addition to any tax that may be due, a delinquent fee of \$50 and a penalty of 10 percent of the amount of tax owed, plus interest on the amount of any tax that may be due at a rate established by the Department in accordance with the provisions of a cooperative agreement, from the date the tax was due until the date of payment. (NRS 366.395) **Section 11** of this bill provides that the total amount of the penalty plus any accrued interest must not exceed 50 percent of the amount of tax owed.

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

Section 1. NRS 482.209 is hereby amended to read as follows:

482.209 1. Notwithstanding any other provision of law, the Department shall not impose an additional fee against the owner of a vehicle for the delinquent or late registration of that vehicle if the owner was a member of the military deployed to a combat or combat supporting position at the time of the expiration of the prior registration.

2. Evidence that the owner of a vehicle was a member of the military deployed to a combat or combat supporting position at a particular time must be furnished by an affidavit executed by a person having knowledge of the fact. The affidavit must accompany the application for renewal of registration.



3. *Notwithstanding any other provision of law, the Department shall not impose an additional fee against the owner of a vehicle for the delinquent or late registration of that vehicle that exceeds one-half of the fee for registration that would be due if the registration was not delinquent or late.*

4. As used in this section:

(a) "Additional fee" means any fine, fee, assessment or other monetary penalty that the Department imposes or collects solely because a vehicle is registered after the date by which it is ordinarily required to be registered. The term does not include a fee or tax that would be due and payable irrespective of the registration of a vehicle being late.

(b) "Military" means the Armed Forces of the United States, a reserve component thereof or the National Guard.

Sec. 2. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33.

2. Except as otherwise provided in subsection 3:

(a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50.

(b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12.

(c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8.

3. The fees specified in subsection 2 do not apply:

(a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all the cars registered to the person.

(b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State General Fund for credit to the Account for the Program for the Education of Motorcycle Riders created by NRS 486.372.

5. For every moped, a one-time fee for registration of \$33.

6. For each transfer of registration, a fee of \$6 in addition to any other fees.



7. Except as otherwise provided in subsection 6 of NRS 485.317, to reinstate the registration of a motor vehicle that is suspended pursuant to that section:

(a) A fee as specified in NRS 482.557 for a registered owner who failed to have insurance on the date specified by the Department, which fee is in addition to any fine or penalty imposed pursuant to NRS 482.557; or

(b) A fee ~~of \$50~~ *as specified in NRS 485.317* for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320,

↳ both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

8. For every travel trailer, a fee for registration of \$27.

9. For every permit for the operation of a golf cart, an annual fee of \$10.

10. For every low-speed vehicle, as that term is defined in NRS 484B.637, a fee for registration of \$33.

11. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451 or 482.458, a fee of \$33.

12. For each vehicle for which the registered owner has indicated his or her intention to opt in to making a contribution pursuant to paragraph (h) of subsection 3 of NRS 482.215 or subsection 4 of NRS 482.280, a contribution of \$2. The contribution must be distributed to the appropriate county pursuant to NRS 482.1825.

Sec. 3. NRS 482.482 is hereby amended to read as follows:

482.482 1. In addition to any other applicable fee listed in NRS 482.480, there must be paid to the Department for the registration of every motortruck, truck-tractor or bus which has a declared gross weight of:

(a) Less than 6,000 pounds, a fee of \$33.

(b) Not less than 6,000 pounds and not more than 8,499 pounds, a fee of \$38.

(c) Not less than 8,500 pounds and not more than 10,000 pounds, a fee of \$48.

(d) Not less than 10,001 pounds and not more than 26,000 pounds, a fee of \$12 for each 1,000 pounds or fraction thereof.

(e) Not less than 26,001 pounds and not more than 80,000 pounds, a fee of \$17 for each 1,000 pounds or fraction thereof. The maximum fee is \$1,360.



2. Except as otherwise provided in subsection 6, the original or renewal registration fees for fleets of vehicles with a declared gross weight in excess of 26,000 pounds and the governmental services tax imposed by the provisions of chapter 371 of NRS for the privilege of operating those vehicles may be paid in installments, the amount of which must be determined by regulation. The Department shall not allow installment payments for a vehicle added to a fleet after the original or renewal registration is issued.

3. If the due date of any installment falls on a Saturday, Sunday or legal holiday, that installment is not due until the next following business day.

4. Any payment required by subsection 2 shall be deemed received by the Department on the date shown by the post office cancellation mark stamped on an envelope containing payment properly addressed to the Department, if that date is earlier than the actual receipt of that payment.

5. A person who fails to pay any fee pursuant to subsection 2 or governmental services tax when due shall pay to the Department a penalty of 10 percent of the amount of the unpaid fee, plus interest on the unpaid fee at the rate of 1 percent per month or fraction of a month from the date the fee and tax were due until the date of payment ~~H~~, *except that the total amount of the penalty plus the accrued interest must not exceed 50 percent of the unpaid fee.*

6. If a person fails to pay any fee pursuant to subsection 2 or governmental services tax when due, the Department may, in addition to the penalty provided for in subsection 5, require that person to pay:

(a) The entire amount of the unpaid registration fee and governmental services tax owed by that person for the remainder of the period of registration; and

(b) On an annual basis, any registration fee and governmental services tax set forth in subsection 2 which may be incurred by that person in any subsequent period of registration.

7. A person who is convicted of, or who pleads guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630 must reregister the vehicle with a declared gross weight equal to:

(a) The gross vehicle weight rating; or

(b) The combined gross vehicle weight rating, if the vehicle was operated in combination at the time of the violation.

➔ The registration fee owed pursuant to this subsection is incurred from the date the person was convicted of, or pled guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630.

Sec. 4. NRS 482.515 is hereby amended to read as follows:

482.515 1. Whenever a person operates any vehicle upon the public highways of this State without having paid therefor the



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1 registration or transfer fee required by this chapter, the required fee
2 shall be deemed delinquent.

3 2. Except as otherwise provided in NRS 482.209, if the fee for
4 registration is not paid by the end of the last working day of the
5 preceding period of registration, a penalty of \$6 must be added for
6 each period of 30 calendar days or fraction thereof during which the
7 delinquency continues, unless the vehicle has not been operated on
8 the highways since the expiration of the prior registration or has not
9 been operated on the highways since the expiration of the temporary
10 placard issued by a vehicle dealer or rebuilder in this State.
11 Evidence of nonoperation of a vehicle must be furnished by an
12 affidavit executed by a person having knowledge of the fact. The
13 affidavit must accompany the application for renewal of registration.

14 3. ~~HH~~ *Except as otherwise provided in NRS 482.209, if* the
15 transferee of a vehicle, required to be registered under the provisions
16 of NRS 482.205, has not registered the vehicle within 10 days after
17 the transfer, a penalty of \$6 must be added to the fee for registration.
18 The provisions of this section do not apply to vehicles which come
19 within the provisions of NRS 706.801 to 706.861, inclusive.

20 4. In addition to the penalties prescribed in subsections 2 and 3,
21 the Department and its agents shall collect the fees for license plates
22 and registration for each period of 30 calendar days, or portion
23 thereof in excess of 15 days, during which the delinquency has
24 continued or for which the vehicle has not been registered pursuant
25 to NRS 482.205.

26 **Sec. 5.** NRS 482.557 is hereby amended to read as follows:

27 482.557 1. Except as otherwise provided in subsection 6 of
28 NRS 485.317, if a registered owner failed to have insurance on the
29 date specified by the Department pursuant to NRS 485.317:

30 (a) For a first offense, the registered owner shall pay to the
31 Department a registration reinstatement fee ~~of \$250,~~ *prescribed by*
32 *regulation of the Department pursuant to subsection 2,* and if the
33 period during which insurance coverage lapsed was:

34 (1) At least 31 days but not more than 90 days, pay to the
35 Department a fine of \$250.

36 (2) At least 91 days but not more than 180 days:

37 (I) Pay to the Department a fine of \$500; and

38 (II) File and maintain with the Department a certificate of
39 financial responsibility for a period of not less than 3 years
40 following the date on which the registration of the applicable
41 vehicle is reinstated.

42 (3) More than 180 days:

43 (I) Pay to the Department a fine of \$1,000; and

44 (II) File and maintain with the Department a certificate of
45 financial responsibility for a period of not less than 3 years



1 following the date on which the registration of the applicable
2 vehicle is reinstated.

3 (b) For a second offense, the registered owner shall pay to the
4 Department a registration reinstatement fee ~~to \$500,~~ *prescribed by*
5 *regulation of the Department pursuant to subsection 2,* and if the
6 period during which insurance coverage lapsed was:

7 (1) At least 31 days but not more than 90 days, pay to the
8 Department a fine of \$500.

9 (2) At least 91 days but not more than 180 days:

10 (I) Pay to the Department a fine of \$500; and

11 (II) File and maintain with the Department a certificate of
12 financial responsibility for a period of not less than 3 years
13 following the date on which the registration of the applicable
14 vehicle is reinstated.

15 (3) More than 180 days:

16 (I) Pay to the Department a fine of \$1,000; and

17 (II) File and maintain with the Department a certificate of
18 financial responsibility for a period of not less than 3 years
19 following the date on which the registration of the applicable
20 vehicle is reinstated.

21 (c) For a third or subsequent offense:

22 (1) The driver's license of the registered owner must be
23 suspended for a period to be determined by regulation of the
24 Department but not less than 30 days;

25 (2) The registered owner shall file and maintain with the
26 Department a certificate of financial responsibility for a period of
27 not less than 3 years following the date on which the registration of
28 the applicable vehicle is reinstated; and

29 (3) The registered owner shall pay to the Department a
30 registration reinstatement fee ~~to \$750,~~ *prescribed by regulation of*
31 *the Department pursuant to subsection 2,* and if the period during
32 which insurance coverage lapsed was:

33 (I) At least 31 days but not more than 90 days, pay to the
34 Department a fine of \$500.

35 (II) At least 91 days but not more than 180 days, pay to
36 the Department a fine of \$750.

37 (III) More than 180 days, pay to the Department a fine of
38 \$1,000.

39 2. *The Department shall adopt regulations which establish*
40 *the registration reinstatement fee to be paid by a person pursuant*
41 *to this section, except that the registration reinstatement fee must*
42 *not exceed one-half of the amount of the registration fee required*
43 *pursuant to NRS 482.480.*

44 3. As used in this section, "certificate of financial
45 responsibility" has the meaning ascribed to it in NRS 485.028.



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Sec. 6. NRS 483.386 is hereby amended to read as follows:

483.386 1. All persons whose licenses have expired may be required by the Department, whenever good cause appears, to take all or part of the regular examinations as set forth in NRS 483.330. All persons whose licenses have expired for a period of 30 days or more shall pay to the Department the penalty ~~provided in NRS 483.410~~ *established by regulation of the Department pursuant to subsection 2*, in addition to the cost of renewing the license except that the following persons are exempt from this penalty:

~~1-1~~ **(a)** A person who has not driven a motor vehicle after the expiration of his or her Nevada driver's license and who submits an affidavit stating that fact;

~~1-2~~ **(b)** A person renewing an expired Nevada driver's license who possesses a valid driver's license from another jurisdiction;

~~1-3~~ **(c)** A person whose Nevada driver's license expires during a period of suspension if the person completes a renewal application within 30 days after the date of eligibility for renewal;

~~1-4~~ **(d)** A person whose Nevada driver's license expires while the person is on active duty with any branch of the Armed Forces, if the person completes a renewal application within 30 days after his or her discharge; and

~~1-5~~ **(e)** A person whose Nevada driver's license expires while the person was a member of the military deployed to a combat or combat supporting position. As used in this subsection, "military" means the Armed Forces of the United States, a reserve component thereof or the National Guard.

2. *The Department shall adopt regulations which establish the penalty to be paid by a person renewing a driver's license after it has expired for a period of 30 days or more, except that the penalty must not exceed one-half of the amount of the fee to renew the driver's license.*

Sec. 7. NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in subsection ~~1-1~~ **5** and NRS 483.417, for every driver's license, including a motorcycle driver's license, issued and service performed, the following fees must be charged:

An original or renewal license issued to a person 65 years of age or older	\$13.50
An original or renewal license issued to any person less than 65 years of age which expires on the eighth anniversary of the licensee's birthday	37.00



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1	An original or renewal license issued to any person	
2	less than 65 years of age which expires on or	
3	before the fourth anniversary of the licensee's	
4	birthday	\$18.50
5	Administration of the examination required by NRS	
6	483.330 for a noncommercial driver's license	25.00
7	Each readministration to the same person of the	
8	examination required by NRS 483.330 for a	
9	noncommercial driver's license	10.00
10	Reinstatement of a license after suspension,	
11	revocation or cancellation, except a revocation	
12	for a violation of NRS 484C.110, 484C.120,	
13	484C.130 or 484C.430, or pursuant to NRS	
14	484C.210 and 484C.220	75.00
15	Reinstatement of a license after revocation for a	
16	violation of NRS 484C.110, 484C.120,	
17	484C.130 or 484C.430, or pursuant to NRS	
18	484C.210 and 484C.220	120.00
19	A new photograph, change of name, change of other	
20	information, except address, or any combination	5.00
21	A duplicate license	14.00
22		

23 2. For every motorcycle endorsement to a driver's license, a
24 fee of \$5 must be charged.

25 3. If no other change is requested or required, the Department
26 shall not charge a fee to convert the number of a license from the
27 licensee's social security number, or a number that was formulated
28 by using the licensee's social security number as a basis for the
29 number, to a unique number that is not based on the licensee's social
30 security number.

31 4. Except as otherwise provided in NRS 483.417, the increase
32 in fees authorized by NRS 483.347 and the fees charged pursuant to
33 NRS 483.415 must be paid in addition to the fees charged pursuant
34 to subsections 1 and 2.

35 5. ~~A penalty of \$10 must be paid by each person renewing a~~
36 ~~license after it has expired for a period of 30 days or more as~~
37 ~~provided in NRS 483.386 unless the person is exempt pursuant to~~
38 ~~that section.~~

39 ~~6.~~ The Department may not charge a fee for the reinstatement
40 of a driver's license that has been:

- 41 (a) Voluntarily surrendered for medical reasons; or
- 42 (b) Cancelled pursuant to NRS 483.310.

43 ~~7.~~ 6. All fees and penalties are payable to the Administrator
44 at the time a license or a renewal license is issued.



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~~18-1~~ 7. Except as otherwise provided in NRS 483.340, subsection 3 of NRS 483.3485, NRS 483.415 and 483.840, and subsection 3 of NRS 483.863, all money collected by the Department pursuant to this chapter must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

Sec. 8. NRS 485.317 is hereby amended to read as follows:

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

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

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

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

5. Except as otherwise provided in subsection 6, the Department shall reinstate the registration of the vehicle and reissue the license plates only upon verification of current insurance and compliance with the requirements for reinstatement of registration prescribed in paragraph (a) of subsection 7 of NRS 482.480.

6. If the Department suspends the registration of a motor vehicle pursuant to subsection 4 because the registered owner of the motor vehicle failed to have insurance on the date specified in the form for verification, and if the registered owner, in accordance with regulations adopted by the Department, proves to the satisfaction of the Department that the owner was unable to comply with the



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provisions of NRS 485.185 on that date because of extenuating circumstances or that the motor vehicle was a dormant vehicle and the owner failed to cancel the registration in accordance with subsection 3 of NRS 485.320, the Department may:

(a) Reinstate the registration of the motor vehicle and reissue the license plates upon payment by the registered owner of a *reinstatement fee ~~of \$50,~~ established by regulation of the Department pursuant to this subsection*, which must be deposited in the Account for Verification of Insurance created by subsection 7 of NRS 482.480; or

(b) Remove the suspension of the registration without the payment of a fee or administrative fine.

↪ The Department shall adopt regulations to carry out the provisions of this subsection ~~H~~, *including, without limitation, regulations to establish a reinstatement fee for a registered owner of a dormant vehicle who failed to cancel the registration in accordance with subsection 3 of NRS 485.320, except that the reinstatement fee must not exceed one-half of the amount of the registration fee required pursuant to NRS 482.480.*

Sec. 9. NRS 490.082 is hereby amended to read as follows:

490.082 1. An owner of an off-highway vehicle that is acquired:

(a) Before July 1, 2011:

(1) May apply for, to the Department by mail or to an authorized dealer, and obtain from the Department, a certificate of title for the off-highway vehicle.

(2) Except as otherwise provided in subsection 3, shall, within 1 year after July 1, 2011, apply for, to the Department by mail or to an authorized dealer, and obtain from the Department, the registration of the off-highway vehicle.

(b) On or after July 1, 2011, shall, within 30 days after acquiring ownership of the off-highway vehicle:

(1) Apply for, to the Department by mail or to an authorized dealer, and obtain from the Department, a certificate of title for the off-highway vehicle.

(2) Except as otherwise provided in subsection 3, apply for, to the Department by mail or to an authorized dealer, and obtain from the Department, the registration of the off-highway vehicle pursuant to this section or NRS 490.0825.

2. If an owner of an off-highway vehicle applies to the Department or to an authorized dealer for:

(a) A certificate of title for the off-highway vehicle, the owner shall submit to the Department or to the authorized dealer proof prescribed by the Department that he or she is the owner of the off-highway vehicle.



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(b) Except as otherwise provided in NRS 490.0825, the registration of the off-highway vehicle, the owner shall submit:

(1) If ownership of the off-highway vehicle was obtained before July 1, 2011, proof prescribed by the Department:

(I) That he or she is the owner of the off-highway vehicle; and

(II) Of the unique vehicle identification number, serial number or distinguishing number obtained pursuant to NRS 490.0835 for the off-highway vehicle; or

(2) If ownership of the off-highway vehicle was obtained on or after July 1, 2011:

(I) Evidence satisfactory to the Department that he or she has paid all taxes applicable in this State relating to the purchase of the off-highway vehicle, or submit an affidavit indicating that he or she purchased the vehicle through a private party sale and no tax is due relating to the purchase of the off-highway vehicle; and

(II) Proof prescribed by the Department that he or she is the owner of the off-highway vehicle and of the unique vehicle identification number, serial number or distinguishing number obtained pursuant to NRS 490.0835 for the off-highway vehicle.

3. Registration of an off-highway vehicle is not required if the off-highway vehicle:

(a) Is owned and operated by:

(1) A federal agency;

(2) An agency of this State; or

(3) A county, incorporated city or unincorporated town in this State;

(b) Is part of the inventory of a dealer of off-highway vehicles and is affixed with a special plate provided to the off-highway vehicle dealer pursuant to NRS 490.0827;

(c) Is registered or certified in another state and is located in this State for not more than 15 days;

(d) Is used solely for husbandry on private land or on public land that is leased to or used under a permit issued to the owner or operator of the off-highway vehicle;

(e) Is used for work conducted by or at the direction of a public or private utility;

(f) Was manufactured before January 1, 1976;

(g) Is operated solely in an organized race, festival or other event that is conducted:

(1) Under the auspices of a sanctioning body; or

(2) By permit issued by a governmental entity having jurisdiction;

(h) Except as otherwise provided in paragraph (d), is operated or stored on private land or on public land that is leased to the owner or



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operator of the off-highway vehicle, including when operated in an organized race, festival or other event;

(i) Is used in a search and rescue operation conducted by a governmental entity having jurisdiction; or

(j) Has a displacement of not more than 70 cubic centimeters.

➡ As used in this subsection, "sanctioning body" means an organization that establishes a schedule of racing events, grants rights to conduct those events and establishes and administers rules and regulations governing the persons who conduct or participate in those events.

4. The registration of an off-highway vehicle pursuant to this section or NRS 490.0825 expires 1 year after its issuance. If an owner of an off-highway vehicle fails to renew the registration of the off-highway vehicle before it expires, the registration may be reinstated upon the payment to the Department of the annual renewal fee, a late fee ~~of \$25~~ *in an amount determined pursuant to NRS 490.084* and, if applicable, proof of insurance required pursuant to NRS 490.0825. Any late fee collected by the Department must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

5. If a certificate of title or registration for an off-highway vehicle is lost or destroyed, the owner of the off-highway vehicle may apply to the Department by mail, or to an authorized dealer, for a duplicate certificate of title or registration. The Department may collect a fee to replace a certificate of title or registration certificate, sticker or decal that is lost, damaged or destroyed. Any such fee collected by the Department must be:

(a) Set forth by the Department by regulation; and

(b) Deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

6. The provisions of subsections 1 to 5, inclusive, do not apply to an owner of an off-highway vehicle who is not a resident of this State.

Sec. 10. NRS 490.084 is hereby amended to read as follows:

490.084 1. The Department shall determine the fee for issuing a certificate of title for an off-highway vehicle, but such fee must not exceed the fee imposed for issuing a certificate of title pursuant to NRS 482.429. Money received from the payment of the fees described in this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.



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2. The Commission shall determine the fee for the annual registration of an off-highway vehicle pursuant to NRS 490.082 or 490.0825, ~~but such~~ *and the amount of any late fee which an owner of an off-highway vehicle must pay for failing to renew the registration of the off-highway vehicle before it expires. The fee for the annual registration* must not be less than \$20 or more than \$30 ~~and the amount of the late fee must not exceed one-half of the fee for annual registration.~~ Money received from the payment of the fees described in this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

Sec. 11. NRS 366.395 is hereby amended to read as follows:

366.395 1. ~~Any~~ *Except as otherwise provided in this subsection, any* special fuel user who fails to file a tax return or pay any excise tax by the date due shall pay, in addition to any tax that may be due, a delinquent filing fee of \$50 and a penalty of 10 percent of the amount of tax owed, plus interest on the amount of any tax that may be due at a rate established by the Department in accordance with the provisions of a cooperative agreement entered into pursuant to NRS 366.175, from the date the tax was due until the date of payment. *The total amount of the penalty plus any accrued interest must not exceed 50 percent of the amount of tax owed.*

2. A tax return, statement or payment is considered delinquent if it is not received by the Department on or before the date the tax return, statement or payment is due, as prescribed by the provisions of this chapter.

3. A tax return, statement or payment shall be deemed received on the date shown by the cancellation mark stamped by the United States Postal Service or the postal service of any country upon an envelope containing the tax return, statement or payment.

Sec. 12. As soon as practicable after July 1, 2017, the Department of Motor Vehicles shall adopt the regulations specified in:

1. NRS 482.557, as amended by section 5 of this act;
2. NRS 483.386, as amended by section 6 of this act; and
3. NRS 485.317, as amended by section 8 of this act.

Sec. 13. This act becomes effective on July 1, 2017.

