

Amendment No. 395

Assembly Amendment to Assembly Bill No. 320	(BDR 43-255)
<b>Proposed by:</b> Assembly Committee on Growth and Infrastructure	
<b>Amends:</b> Summary: No Title: Yes 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. 320 (§ 1).

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/BJE



Date: 4/22/2019

A.B. No. 320—Revises provisions governing commercial motor vehicles.  
(BDR 43-255)





## ASSEMBLY BILL NO. 320—ASSEMBLYMAN CARRILLO

MARCH 18, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing commercial motor vehicles.  
(BDR 43-255)

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 commercial motor vehicles; revising provisions relating to additional fees for the registration of certain commercial motor vehicles based on the weight of the vehicle; revising provisions governing the permitting of certain commercial motor vehicles based on the length of the vehicle; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires, for every motortruck, truck-tractor or bus, the payment of an additional fee for registration that is based on the weight of the vehicle. At the top of the fee schedule, such a vehicle which weighs not less than 26,001 pounds and not more than 80,000 pounds must pay a fee of \$17 for each 1,000 pounds, with a maximum fee of \$1,360. (NRS 482.482) ~~[This]~~ Section 1 of this bill adds an additional tier of vehicle weights, to the extent authorized by federal law, from 80,001 pounds to ~~131,550~~ 129,000 pounds. Such a vehicle must pay a fee of \$1,360, plus \$20 for each 1,000 pounds over 80,000 pounds, with a maximum fee of ~~\$2,394~~ \$2,340. A vehicle may be registered at a weight over 129,000 pounds to the extent federal law authorizes additional weight allowances for certain alternative fuel sources and idle reduction technology.

Under existing law, certain permits to operate certain longer combinations of vehicles are issued by the Department of Transportation. Such permits are transferable. (NRS 706.531) Section 2 of this bill provides that for a vehicle registered in excess of 80,000 pounds no separate permit is required, and that once the vehicle is registered to operate in excess of 80,000 pounds, such a vehicle is deemed permitted to operate at any legal reducible combination. A separate permit is still required for a reducible combination that is less than 80,000 pounds but exceeding 70 feet in length.

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

**Section 1.** 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:

- 1 (a) Less than 6,000 pounds, a fee of \$33.  
2 (b) Not less than 6,000 pounds and not more than 8,499 pounds, a fee of \$38.  
3 (c) Not less than 8,500 pounds and not more than 10,000 pounds, a fee of \$48.  
4 (d) Not less than 10,001 pounds and not more than 26,000 pounds, a fee of \$12  
5 for each 1,000 pounds or fraction thereof.  
6 (e) Not less than 26,001 pounds and not more than 80,000 pounds, a fee of \$17  
7 for each 1,000 pounds or fraction thereof. ~~[The maximum fee is \$1,360.]~~

8 (f) To the extent authorized by federal law, not less than 80,001 and not more  
9 than ~~121,550~~ 129,000 pounds, a fee of \$1,360, plus \$20 for each 1,000 pounds  
10 or fraction thereof over 80,000 pounds. The maximum fee is ~~\$2,391~~ \$2,340. A  
11 vehicle may register for additional weight as follows, for no additional fee:

12 (1) A vehicle powered by an alternative fuel source, including, without  
13 limitation, liquefied natural gas or electric power, may register for additional  
14 weight in an amount equal to the weight of the equipment required for the  
15 alternative fuel system but not to exceed 2,000 pounds.

16 (2) A vehicle with an auxiliary power unit or idle reduction technology,  
17 as those terms are defined in 42 U.S.C. § 16104, may register for additional  
18 weight in an amount equal to the weight of the auxiliary power unit or idle  
19 reduction technology but not to exceed 550 pounds.

20 2. Except as otherwise provided in subsection 6, the original or renewal  
21 registration fees for fleets of vehicles with a declared gross weight in excess of  
22 26,000 pounds and the governmental services tax imposed by the provisions of  
23 chapter 371 of NRS for the privilege of operating those vehicles may be paid in  
24 installments, the amount of which must be determined by regulation. The  
25 Department shall not allow installment payments for a vehicle added to a fleet after  
26 the original or renewal registration is issued.

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

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

33 5. A person who fails to pay any fee pursuant to subsection 2 or governmental  
34 services tax when due shall pay to the Department a penalty of 10 percent of the  
35 amount of the unpaid fee, plus interest on the unpaid fee at the rate of 1 percent per  
36 month or fraction of a month from the date the fee and tax were due until the date  
37 of payment.

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

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

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

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

49 (a) The gross vehicle weight rating; or

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

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

4     **Sec. 1.5. NRS 706.531 is hereby amended to read as follows:**

5     706.531 1. The Department of Transportation or its designee shall approve  
6     an application for a permit pursuant to the provisions of subsection 5 of NRS  
7     484D.615. ~~The permit must be carried and displayed in such a manner as the~~  
8     ~~Department determines on every combination so operating. The permit issued may~~  
9     ~~be transferred from one combination to another, under such conditions as the~~  
10    ~~Department may by regulation prescribe, but must not be transferred from one~~  
11    ~~person or operator to another without prior approval of the Department. The permit~~  
12    ~~may be used only on~~ In lieu of a separate permit issued by the Department, a  
13    ~~motor [vehicle] vehicle~~ regularly licensed in excess of 80,000 pounds pursuant to  
14    the provisions of NRS 482.482, shall be deemed permitted to operate any legal,  
15    reducible combination pursuant to NRS 484D.615.

16    2. The annual fee for each permit for a legal, reducible combination of  
17    vehicles ~~is \$60 for each 1,000 pounds or fraction thereof of gross weight in excess~~  
18    ~~of 80,000 pounds. The fee must be reduced one twelfth for each month that has~~  
19    ~~elapsed since the beginning of each registration cycle rounded to the nearest dollar,~~  
20    ~~but must not be less than \$50. The annual fee for each permit for a combination of~~  
21    ~~vehicles~~ exceeding 70 feet in length but not exceeding 80,000 pounds is \$10.

22    3. The fee required pursuant to this ~~subsection is~~ section are in addition to  
23    all other fees required by the provisions of this chapter. ~~The Department of~~  
24    ~~Transportation shall adopt regulations establishing registration cycles for permits~~  
25    ~~issued pursuant to this section and establishing procedures for assigning a person~~  
26    ~~applying for a permit pursuant to this section to a particular registration cycle.~~

27    ~~3.]~~ 4. Any person operating a combination of vehicles licensed pursuant to  
28    the provisions of subsection 1 or 2 who is apprehended operating a combination ~~in~~  
29    ~~excess of the gross weight for~~ which ~~the fee in subsection 2 has been paid~~  
30    violates this section or NRS 484D.615 is, in addition to all other penalties provided  
31    by law, liable for the difference between the fee for the load being carried and the  
32    fee paid, for the full licensing period.

33    ~~4. Any person apprehended operating a combination of vehicles without~~  
34    ~~having complied with the provisions of this section and NRS 484D.615 is, in~~  
35    ~~addition to all other penalties provided by law, liable for the payment of the fee~~  
36    ~~which would be due pursuant to the provisions of subsection 2 for the balance of~~  
37    ~~the registration cycle for the gross load being carried at the time of apprehension.~~

38    ~~5. The holder of an original permit may, upon surrendering the permit to the~~  
39    ~~Department or upon delivering to the Department a signed and notarized statement~~  
40    ~~that the permit was lost or stolen and such other documentation as the Department~~  
41    ~~may require, apply to the Department:~~

42    ~~(a) For a refund of an amount equal to that portion of the fees paid for the~~  
43    ~~permit that is attributable, on a pro rata monthly basis, to the remainder of the~~  
44    ~~registration cycle; or~~

45    ~~(b) To have that amount credited against excise taxes due pursuant to the~~  
46    ~~provisions of chapter 366 of NRS.]~~

47    **Sec. 2. This act becomes effective [upon passage and approval.] on January**  
48    **1, 2020.**