

ASSEMBLY BILL NO. 178—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

FEBRUARY 21, 2003

Referred to Committee on Transportation

SUMMARY—Makes various changes concerning registration and titling of motor vehicles and records of Department of Motor Vehicles. (BDR 43- 473)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; requiring the Director of the Department of Motor Vehicles to ensure that certain documents submitted to, issued by or retained by the Department contain the full legal name of the relevant person; providing that the document setting forth indicia of the ownership of a motor vehicle shall be known as a “certificate of title”; making various other changes relating to the operations of the Department; and providing other matters properly relating thereto.

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

1     **Section 1.** Chapter 481 of NRS is hereby amended by adding  
2     thereto a new section to read as follows:

3     ***1. Except as otherwise provided in subsection 2, the Director***  
4     ***shall ensure that whenever a document is required by law to***  
5     ***include the name of a person, the document sets forth the full***  
6     ***legal name of that person.***

7     ***2. The provisions of this section do not require the Director to***  
8     ***alter, amend or otherwise change any documents that were created***  
9     ***before October 1, 2003.***



1     3. *The Director may take any action he deems reasonable to*  
2 *facilitate achieving uniformity in the manner in which the*  
3 *documents and records of the Department refer to a particular*  
4 *person by name.*

5     4. *As used in this section:*

6     (a) *"Certificate of registration" means the certificate described*  
7 *in subsection 1 of NRS 482.245.*

8     (b) *"Document" means any:*

9         (1) *Application or record that a person is required to file*  
10 *with or submit to the Department;*

11         (2) *Card, certificate or license that the Department issues to*  
12 *a person; and*

13         (3) *Record that the Department is required to keep or*  
14 *maintain.*

15 *The term includes, without limitation, a certificate of registration,*  
16 *certificate of title, driver's license and identification card, and an*  
17 *application or record pertaining to any such certificate, license or*  
18 *card.*

19     **Sec. 2.** NRS 481.015 is hereby amended to read as follows:

20     481.015 1. *Except as otherwise provided in this subsection,*  
21 *as used in this title, unless the context otherwise requires,*  
22 *"certificate of title" means the document issued by the Department*  
23 *that identifies the legal owner of a vehicle and contains the*  
24 *information required pursuant to subsection 2 of NRS 482.245.*  
25 *The definition set forth in this subsection does not apply to*  
26 *chapters 488 and 489 of NRS.*

27     2. Except as otherwise provided in chapters 480 and 486A of  
28 NRS, as used in this title, unless the context otherwise requires:

29     ~~(1)~~ (a) "Department" means the Department of Motor Vehicles.

30     ~~(2)~~ (b) "Director" means the Director of the Department of  
31 Motor Vehicles.

32     **Sec. 3.** NRS 481.063 is hereby amended to read as follows:

33     481.063 1. The Director may charge and collect reasonable  
34 fees for official publications of the Department and from persons  
35 making use of files and records of the Department or its various  
36 divisions for a private purpose. All money so collected must be  
37 deposited in the State Treasury for credit to the Motor Vehicle Fund.

38     2. Except as otherwise provided in subsection 5, the Director  
39 may release personal information, except a photograph, from a file  
40 or record relating to the driver's license, identification card, or title  
41 or registration of a vehicle of a person if the requester submits a  
42 written release from the person who holds a lien on the vehicle, or  
43 an agent of that person, or the person about whom the information is  
44 requested which is dated not more than 90 days before the date of



1 the request. The written release must be in a form required by the  
2 Director.

3 3. Except as otherwise provided in subsection 2, the Director  
4 shall not release to any person who is not a representative of the  
5 Welfare Division of the Department of Human Resources or an  
6 officer, employee or agent of a law enforcement agency, an agent of  
7 the public defender's office or an agency of a local government  
8 which collects fines imposed for parking violations, who is not  
9 conducting an investigation pursuant to NRS 253.0415, 253.044 or  
10 253.220, who is not authorized to transact insurance pursuant to  
11 chapter 680A of NRS or who is not licensed as a private investigator  
12 pursuant to chapter 648 of NRS and conducting an investigation of  
13 an insurance claim:

14 (a) A list which includes license plate numbers combined with  
15 any other information in the records or files of the Department;

16 (b) The social security number of any person, if it is requested to  
17 facilitate the solicitation of that person to purchase a product or  
18 service; or

19 (c) The name, address, telephone number or any other  
20 personally identifiable information if the information is requested by  
21 the presentation of a license plate number.

22 When such personally identifiable information is requested of a law  
23 enforcement agency by the presentation of a license plate number,  
24 the law enforcement agency shall conduct an investigation regarding  
25 the person about whom information is being requested or, as soon as  
26 practicable, provide the requester with the requested information if  
27 the requester officially reports that the motor vehicle bearing that  
28 license plate was used in a violation of NRS 205.240, 205.345,  
29 205.380 or 205.445.

30 4. Except as otherwise provided in subsections 2 and 5, the  
31 Director shall not release any personal information from a file or  
32 record relating to a driver's license, identification card, or title or  
33 registration of a vehicle.

34 5. Except as otherwise provided in *paragraph (a) and*  
35 subsection 6, if a person or governmental entity provides a  
36 description of the information requested and its proposed use and  
37 signs an affidavit to that effect, the Director may release any  
38 personal information , *except a photograph*, from a file or record  
39 relating to a driver's license, identification card, or title or  
40 registration of a vehicle for use:

41 (a) By any governmental entity, including, but not limited to,  
42 any court or law enforcement agency, in carrying out its functions,  
43 or any person acting on behalf of a federal, state or local  
44 governmental agency in carrying out its functions. The personal  
45 information may include a photograph from a file or record relating



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1 to a driver's license, identification card, or title or registration of a  
2 vehicle.

3 (b) In connection with any civil, criminal, administrative or  
4 arbitration proceeding before any federal or state court, regulatory  
5 body, board, commission or agency, including, but not limited to,  
6 use for service of process, investigation in anticipation of litigation,  
7 and execution or enforcement of judgments and orders, or pursuant  
8 to an order of a federal or state court.

9 (c) In connection with matters relating to:

- 10 (1) The safety of drivers of motor vehicles;  
11 (2) Safety and thefts of motor vehicles;  
12 (3) Emissions from motor vehicles;  
13 (4) Alterations of products related to motor vehicles;  
14 (5) An advisory notice relating to a motor vehicle or the  
15 recall of a motor vehicle;  
16 (6) Monitoring the performance of motor vehicles;  
17 (7) Parts or accessories of motor vehicles;  
18 (8) Dealers of motor vehicles; or  
19 (9) Removal of nonowner records from the original records  
20 of motor vehicle manufacturers.

21 (d) By any insurer, self-insurer or organization that provides  
22 assistance or support to an insurer or self-insurer or its agents,  
23 employees or contractors, in connection with activities relating to  
24 the rating, underwriting or investigation of claims or the prevention  
25 of fraud.

26 (e) In providing notice to the owners of vehicles that have been  
27 towed, repossessed or impounded.

28 (f) By an employer or its agent or insurer to obtain or verify  
29 information relating to a holder of a commercial driver's license  
30 who is employed by or has applied for employment with the  
31 employer.

32 (g) By a private investigator, private patrolman or security  
33 consultant who is licensed pursuant to chapter 648 of NRS, for any  
34 use permitted pursuant to this section.

35 (h) By a reporter or editorial employee who is employed by or  
36 affiliated with any newspaper, press association or commercially  
37 operated, federally licensed radio or television station for a  
38 journalistic purpose. The Department may not make any inquiries  
39 regarding the use of or reason for the information requested other  
40 than whether the information will be used for a journalistic purpose.

41 (i) In connection with an investigation conducted pursuant to  
42 NRS 253.0415, 253.044 or 253.220.

43 (j) In activities relating to research and the production of  
44 statistical reports, if the personal information will not be published  
45 or otherwise redisclosed, or used to contact any person.



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1 (k) In the bulk distribution of surveys, marketing material or  
2 solicitations, if the Director has adopted policies and procedures to  
3 ensure that:

4 (1) The information will be used or sold only for use in the  
5 bulk distribution of surveys, marketing material or solicitations;

6 (2) Each person about whom the information is requested has  
7 clearly been provided with an opportunity to authorize such a use;  
8 and

9 (3) If the person about whom the information is requested  
10 does not authorize such a use, the bulk distribution will not be  
11 directed toward that person.

12 6. Except as otherwise provided in paragraph (j) of  
13 subsection 5, a person who requests and receives personal  
14 information may sell or disclose that information only for a use  
15 permitted pursuant to subsection 5. Such a person shall keep and  
16 maintain for 5 years a record of:

17 (a) Each person to whom the information is provided; and

18 (b) The purpose for which that person will use the  
19 information.

20 The record must be made available for examination by the  
21 Department at all reasonable times upon request.

22 7. Except as otherwise provided in subsection 2, the Director  
23 may deny any use of the files and records if he reasonably believes  
24 that the information taken may be used for an unwarranted invasion  
25 of a particular person's privacy.

26 8. Except as otherwise provided in NRS 485.316, the Director  
27 shall not allow any person to make use of information retrieved  
28 from the database created pursuant to NRS 485.313 for a private  
29 purpose and shall not in any other way release any information  
30 retrieved from that database.

31 9. The Director shall adopt such regulations as he deems  
32 necessary to carry out the purposes of this section. In addition, the  
33 Director shall, by regulation, establish a procedure whereby a person  
34 who is requesting personal information may establish an account  
35 with the Department to facilitate his ability to request information  
36 electronically or by written request if he has submitted to the  
37 Department proof of his employment or licensure, as applicable, and  
38 a signed and notarized affidavit acknowledging:

39 (a) That he has read and fully understands the current laws and  
40 regulations regarding the manner in which information from the  
41 Department's files and records may be obtained and the limited uses  
42 which are permitted;

43 (b) That he understands that any sale or disclosure of  
44 information so obtained must be in accordance with the provisions  
45 of this section;



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1 (c) That he understands that a record will be maintained by the  
2 Department of any information he requests; and

3 (d) That he understands that a violation of the provisions of this  
4 section is a criminal offense.

5 10. It is unlawful for any person to:

6 (a) Make a false representation to obtain any information from  
7 the files or records of the Department.

8 (b) Knowingly obtain or disclose any information from the files  
9 or records of the Department for any use not permitted by the  
10 provisions of this chapter.

11 11. As used in this section, "personal information" means  
12 information that reveals the identity of a person, including, without  
13 limitation, his photograph, social security number, driver's license  
14 number, identification card number, name, address, telephone  
15 number or information regarding a medical condition or disability.  
16 The term does not include the zip code of a person when separate  
17 from his full address, information regarding vehicular accidents or  
18 driving violations in which he has been involved or other  
19 information otherwise affecting his status as a driver.

20 **Sec. 4.** NRS 482.085 is hereby amended to read as follows:

21 482.085 "Owner" means a person who holds the legal title of a  
22 vehicle and whose name appears on the certificate of ~~ownership,~~  
23 *title*, and any lienholder whose name appears on the certificate of  
24 ~~ownership,~~ *title*. If a vehicle is the subject of an agreement for the  
25 conditional sale or lease thereof with or without the right of  
26 purchase upon performance of the conditions stated in the  
27 agreement and with an immediate right of possession vested in the  
28 conditional vendee or lessee, or if a mortgagor of a vehicle is  
29 entitled to possession, then the conditional vendee or lessee or  
30 mortgagor shall be deemed the owner for the purpose of this  
31 chapter.

32 **Sec. 5.** NRS 482.173 is hereby amended to read as follows:

33 482.173 1. Notwithstanding the provisions of any schedule  
34 for the retention and disposition of official state records to the  
35 contrary, the Director shall ensure that the Department retains  
36 the originals of:

37 (a) Certificates of ~~ownership~~ *title* that are submitted to the  
38 Department for the registration of a vehicle which has been sold or  
39 transferred; and

40 (b) Forms for a power of attorney that are submitted to the  
41 Department pursuant to subsection 2 of NRS 482.415,  
42 for at least 1 year after the date on which such documents are  
43 received by the Department.

44 2. Notwithstanding the provisions of NRS 239.080, the  
45 Director may order the destruction of certificates of ~~ownership~~ *title*



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1 and forms for a power of attorney which are retained pursuant to  
2 subsection 1 after the expiration of the 1-year period set forth in that  
3 subsection.

4 3. The Department shall keep a record showing when  
5 certificates of ~~ownership~~ *title* and forms for a power of attorney  
6 are destroyed.

7 **Sec. 6.** NRS 482.188 is hereby amended to read as follows:

8 482.188 1. The Department may waive payment of a penalty  
9 or interest for a person's failure timely to file a return or pay a tax ,  
10 *penalty* or fee imposed *by the Department* pursuant to this chapter  
11 *or any other provision of law*, if the Department determines that the  
12 failure:

- 13 (a) Was caused by circumstances beyond the person's control;  
14 (b) Occurred despite the person's exercise of ordinary care; and  
15 (c) Was not a result of the person's willful neglect.

16 2. A person requesting relief from payment of a penalty or  
17 interest must file with the Department a sworn statement specifying  
18 the facts supporting his claim for relief.

19 **Sec. 7.** NRS 482.235 is hereby amended to read as follows:

20 482.235 1. The Department shall file each application  
21 received and register the vehicle therein described and the owner  
22 thereof in suitable books or on index cards as follows:

23 (a) Under a distinctive registration number assigned to the  
24 vehicle and to the owner thereof, referred to in this chapter as the  
25 registration number.

26 (b) Alphabetically under the ~~legal~~ name of the owner.

27 (c) Numerically under the serial or vehicle identification number  
28 of the vehicle or a permanent identifying number, as may be  
29 determined by the Department.

30 2. A registered dealer who registers a vehicle shall assign a  
31 registration number for that vehicle according to a list of registration  
32 numbers issued by the Department for use by that dealer.

33 **Sec. 8.** NRS 482.240 is hereby amended to read as follows:

34 482.240 1. Upon ~~a~~ *the* registration of a vehicle, the  
35 Department or a registered dealer shall issue a certificate of  
36 registration to the owner.

37 2. When an applicant for registration or transfer of registration  
38 is unable, for any reason, to submit to the Department in support of  
39 the application for registration, or transfer of registration, such  
40 documentary evidence of legal ownership as, in the opinion of the  
41 Department, is sufficient to establish the legal ownership of the  
42 vehicle concerned in the application for registration or transfer of  
43 registration, the Department may issue to the applicant only a  
44 certificate of registration.



1       3. The Department may, upon proof of ownership satisfactory  
2 to it, issue a certificate of ~~{ownership}~~ title before the registration of  
3 the vehicle concerned. The certificate of registration issued pursuant  
4 to this chapter is valid only during the registration period or calendar  
5 year for which it is issued, and a certificate of ~~{ownership}~~ title is  
6 valid until canceled by the Department upon the transfer of interest  
7 therein.

8       **Sec. 9.** NRS 482.245 is hereby amended to read as follows:

9       482.245 1. The certificate of registration must contain upon  
10 the face thereof the date issued, the registration number assigned to  
11 the vehicle, the legal name and address of the registered owner, the  
12 county where the vehicle is to be based unless it is deemed to have  
13 no base, a description of the registered vehicle and such other  
14 statement of facts as may be determined by the Department.

15       2. The certificate of ~~{ownership}~~ title must contain upon the  
16 face thereof the date issued, the name and address of the registered  
17 owner and the owner or lienholder, if any, a description of the  
18 vehicle, any entries required by NRS 482.423 to 482.428, inclusive,  
19 a reading of the vehicle's odometer as provided to the Department  
20 by the person making the sale or transfer, the word "rebuilt" if it is a  
21 rebuilt vehicle ~~{r}~~ and such other statement of facts as may be  
22 determined by the Department. The reverse side of the certificate of  
23 ~~{ownership}~~ title must contain forms for notice to the Department of  
24 a transfer of the title or interest of the owner or lienholder and  
25 application for registration by the transferee. If a new certificate of  
26 ~~{ownership}~~ title is issued for a vehicle, it must contain the same  
27 information as the replaced certificate, except to the extent that the  
28 information has changed after the issuance of the replaced  
29 certificate. Except as otherwise required by federal law, the  
30 certificate of ~~{ownership}~~ title of a vehicle which the Department  
31 knows to have been stolen must not contain any statement or other  
32 indication that the mileage specified in the certificate or registered  
33 on the odometer is anything other than the actual mileage traveled  
34 by the vehicle, in the absence of proof that the odometer of the  
35 vehicle has been disconnected, reset or altered.

36       **Sec. 10.** NRS 482.245 is hereby amended to read as follows:

37       482.245 1. The certificate of registration must contain upon  
38 the face thereof the date issued, the registration number assigned to  
39 the vehicle, the ~~{legal}~~ name and address of the registered owner, the  
40 county where the vehicle is to be based unless it is deemed to have  
41 no base, a description of the registered vehicle and such other  
42 statement of facts as may be determined by the Department.

43       2. The certificate of title must contain upon the face thereof the  
44 date issued, the name and address of the registered owner and the  
45 owner or lienholder, if any, a description of the vehicle, any entries





1 required by NRS 482.423 to 482.428, inclusive, a reading of the  
2 vehicle's odometer as provided to the Department by the person  
3 making the sale or transfer, the word "rebuilt" if it is a rebuilt  
4 vehicle and such other statement of facts as may be determined by  
5 the Department. The reverse side of the certificate of title must  
6 contain forms for notice to the Department of a transfer of the title  
7 or interest of the owner or lienholder and application for registration  
8 by the transferee. If a new certificate of title is issued for a vehicle,  
9 it must contain the same information as the replaced certificate,  
10 except to the extent that the information has changed after the  
11 issuance of the replaced certificate. Except as otherwise required by  
12 federal law, the certificate of title of a vehicle which the Department  
13 knows to have been stolen must not contain any statement or other  
14 indication that the mileage specified in the certificate or registered  
15 on the odometer is anything other than the actual mileage traveled  
16 by the vehicle, in the absence of proof that the odometer of the  
17 vehicle has been disconnected, reset or altered.

18 **Sec. 11.** NRS 482.260 is hereby amended to read as follows:

19 482.260 1. When registering a vehicle, the Department and  
20 its agents or a registered dealer shall:

21 (a) Collect the fees for license plates and registration as  
22 provided for in this chapter.

23 (b) Collect the governmental services tax on the vehicle, as  
24 agent for the county where the applicant intends to base the vehicle  
25 for the period of registration, unless the vehicle is deemed to have  
26 no base.

27 (c) Collect the applicable taxes imposed pursuant to chapters  
28 372, 374, 377 and 377A of NRS.

29 (d) Issue a certificate of registration.

30 (e) If the registration is performed by the Department, issue the  
31 regular license plate or plates.

32 (f) If the registration is performed by a registered dealer, provide  
33 information to the owner regarding the manner in which the regular  
34 license plate or plates will be made available to him.

35 2. Upon proof of ownership satisfactory to the Director, he  
36 shall cause to be issued a certificate of ~~ownership~~ *title* as provided  
37 in this chapter.

38 3. Every vehicle being registered for the first time in Nevada  
39 must be taxed for the purposes of the governmental services tax for  
40 a 12-month period.

41 4. The Department shall deduct and withhold 2 percent of the  
42 taxes collected pursuant to paragraph (c) of subsection 1 and remit  
43 the remainder to the Department of Taxation.

44 5. A registered dealer shall forward all fees and taxes collected  
45 for the registration of vehicles to the Department.



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1     **Sec. 12.** NRS 482.272 is hereby amended to read as follows:  
2     482.272 ~~{1.}~~ Each license plate for a motorcycle ~~{shall}~~  
3 ~~contain five}~~ *may contain up to six characters, including* numbers  
4 and ~~{no}~~ letters. Only one plate ~~{shall}~~ *may* be issued for a  
5 motorcycle.

6     ~~{2. Motorcycle license plates shall be issued in consecutive~~  
7 ~~numerical order for statewide distribution.~~

8     ~~{3. In the event the Department exhausts the license plate code~~  
9 ~~of subsection 1, the Department may substitute letters in~~  
10 ~~combination with numbers to expand the code for motorcycle~~  
11 ~~license plates.}~~

12     **Sec. 13.** NRS 482.292 is hereby amended to read as follows:

13     482.292 As used in this section and NRS 482.293 and 482.294,  
14 unless the context otherwise requires, "document" means an  
15 application, notice, report, statement or other record relating to the  
16 issuance or renewal of a certificate of registration, or the issuance of  
17 a certificate of ~~{ownership}~~ *title* pursuant to this chapter by financial  
18 institutions, new vehicle dealers and used vehicle dealers on behalf  
19 of their customers.

20     **Sec. 14.** NRS 482.293 is hereby amended to read as follows:

21     482.293 1. The Department may establish a program for the  
22 electronic submission and storage of documents.

23     2. If the Department establishes a program pursuant to  
24 subsection 1:

25     (a) An electronic submission or storage of documents that is  
26 carried out pursuant to the program with respect to a particular  
27 transaction is not valid unless all original documents required for the  
28 transaction pursuant to:

29         (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and

30         (2) The provisions of any regulations adopted pursuant  
31 thereto,  
32 have been executed and submitted to the Department.

33     (b) The Department shall adopt regulations to carry out the  
34 program.

35     3. The regulations required to be adopted pursuant to paragraph  
36 (b) of subsection 2 must include, without limitation:

37     (a) The type of electronic transmission that the Department will  
38 accept for the program.

39     (b) The process for submission of an application by a person  
40 who desires to participate in the program and the fee, if any, that  
41 must accompany the application for participation.

42     (c) The criteria that will be applied by the Department in  
43 determining whether to approve an application to participate in the  
44 program.



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1 (d) The standards for ensuring the security and integrity of the  
2 process for issuance and renewal of a certificate of registration ~~and~~  
3 ~~and a~~ certificate of ~~ownership and certificate of~~ title, including,  
4 without limitation, the procedure for a financial and performance  
5 audit of the program.

6 (e) The terms and conditions for participation in the program  
7 and any restrictions on the participation.

8 (f) The contents of a written agreement that must be on file with  
9 the Department pursuant to subsection 2 of NRS 482.294 before a  
10 participant may submit a document by electronic means to the  
11 Department. Such ~~a~~ written agreement must include, without  
12 limitation:

13 (1) An assurance that each document submitted by electronic  
14 means contains all the information that is necessary to complete the  
15 transaction for which the document is submitted;

16 (2) Certification that all the information contained in each  
17 document that is submitted by electronic means is truthful and  
18 accurate;

19 (3) An assurance that the participant who submits a  
20 document by electronic means will maintain all information and  
21 records that are necessary to support the document; and

22 (4) The signature of the participant who files the written  
23 agreement with the Department.

24 (g) The conditions under which the Department may revoke the  
25 approval of a person to participate in the program, including,  
26 without limitation, failure to comply with this section and NRS  
27 482.294 and the regulations adopted pursuant thereto.

28 (h) The method by which the Department will store documents  
29 that are submitted to it by electronic means.

30 (i) The required technology that is necessary to carry out the  
31 program.

32 (j) Any other regulations that the Department determines  
33 necessary to carry out the program.

34 (k) Procedures to ensure compliance with:

35 (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and

36 (2) The provisions of any regulations adopted pursuant  
37 thereto,  
38 to the extent that such provisions relate to the submission and  
39 retention of documents used for the transfer of the ownership of  
40 vehicles.

41 4. The Department may accept gifts and grants from any  
42 source, including, without limitation, donations of materials,  
43 equipment and labor, for the establishment and maintenance of a  
44 program pursuant to this section.



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1     **Sec. 15.** NRS 482.294 is hereby amended to read as follows:

2     482.294 1. If the Department approves an application for a  
3 person to participate in a program established pursuant to NRS  
4 482.293, that participant may submit, by electronic means, a  
5 document that is required to be submitted pursuant to this chapter  
6 for the issuance or renewal of a certificate of registration ~~or a~~  
7 certificate of ~~ownership or certificate of~~ title.

8     2. If the signature of a natural person is required pursuant to  
9 this chapter on a document that is submitted by electronic means,  
10 the Department may waive that requirement if the participant who  
11 submitted the document on behalf of that person complies with all  
12 requirements of this program.

13     3. Notwithstanding any other provision of law to the contrary,  
14 a document that is submitted by electronic means pursuant to  
15 subsection 1, if accepted by the Department, shall be deemed an  
16 original document in administrative proceedings, quasi-judicial  
17 proceedings and judicial proceedings.

18     **Sec. 16.** NRS 482.3255 is hereby amended to read as follows:

19     482.3255 Evidence of unfitness of an applicant or a licensee  
20 for purposes of denial or revocation of a license may consist of , but  
21 is not limited to:

22     1. Failure to discharge a lienholder on a vehicle within 30 days  
23 after it is traded to his dealership.

24     2. Being the former holder of ~~or~~ or being a partner, officer,  
25 director, owner or manager involved in management decisions of a  
26 dealership which held a license issued pursuant to NRS 482.325  
27 which was revoked for cause and never reissued or was suspended  
28 upon terms which were never fulfilled.

29     3. Defrauding or attempting to defraud the State or a political  
30 subdivision of any taxes or fees in connection with the sale or  
31 transfer of a vehicle.

32     4. Forging the signature of the registered or legal owner of a  
33 vehicle on a certificate of title.

34     5. Purchasing, selling, otherwise disposing of or having in his  
35 possession any vehicle which he knows, or a reasonable person  
36 should know, is stolen or otherwise illegally appropriated.

37     6. Willfully failing to deliver to a purchaser or his lienholder a  
38 certificate of ~~ownership~~ title to a vehicle he has sold.

39     7. Refusing to allow an agent of the Department to inspect,  
40 during normal business hours, all books, records and files of the  
41 dealership which are maintained within the State.

42     8. Any fraud which includes , but is not limited to:

43     (a) Misrepresentation in any manner, whether intentional or  
44 grossly negligent, of a material fact.

45     (b) An intentional failure to disclose a material fact.



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1 9. Willful failure to comply with any regulation adopted by the  
2 Department.

3 **Sec. 17.** NRS 482.400 is hereby amended to read as follows:

4 482.400 1. Except as otherwise provided in this subsection  
5 and subsections 2, 5 and 6, upon a transfer of the title to, or the  
6 interest of an owner in, a vehicle registered or issued a certificate of  
7 ~~{ownership}~~ title under the provisions of this chapter, the person or  
8 persons whose title or interest is to be transferred and the transferee  
9 shall write their signatures with pen and ink upon the certificate of  
10 ~~{ownership}~~ title issued for the vehicle, together with the residence  
11 address of the transferee, in the appropriate spaces provided upon  
12 the reverse side of the certificate. The Department may, by  
13 regulation, prescribe alternative methods by which a signature may  
14 be affixed upon a manufacturer's certificate of origin or a  
15 manufacturer's statement of origin issued for a vehicle. The  
16 alternative methods must ensure the authenticity of the signatures.

17 2. The Department shall provide a form for use by a dealer for  
18 the transfer of ownership of a vehicle. The form must be produced  
19 in a manner which ensures that the form may not be easily  
20 counterfeited. Upon the attachment of the form to a certificate of  
21 ~~{ownership}~~ title issued for a vehicle, the form becomes a part of  
22 that certificate of ~~{ownership.}~~ title. The Department may charge a  
23 fee not to exceed the cost to provide the form.

24 3. Except as otherwise provided in subsections 4, 5 and 6, the  
25 transferee shall immediately apply for registration as provided in  
26 NRS 482.215 ~~{ }~~ and shall pay the governmental services taxes due.

27 4. If the transferee is a dealer who intends to resell the vehicle,  
28 he is not required to register, pay a transfer or registration fee for, or  
29 pay a governmental services tax on the vehicle. When the vehicle is  
30 resold, the purchaser shall apply for registration as provided in NRS  
31 482.215 ~~{ }~~ and shall pay the governmental services taxes due.

32 5. If the transferee consigns the vehicle to a wholesale vehicle  
33 auctioneer:

34 (a) The transferee shall, within 30 days after that consignment,  
35 provide the wholesale vehicle auctioneer with the certificate of  
36 ~~{ownership}~~ title for the vehicle, executed as required by subsection  
37 1, and any other documents necessary to obtain another certificate of  
38 ~~{ownership}~~ title for the vehicle.

39 (b) The wholesale vehicle auctioneer shall be deemed a  
40 transferee of the vehicle for the purposes of subsection 4. The  
41 wholesale vehicle auctioneer is not required to comply with  
42 subsection 1 if he:

43 (1) Does not take an ownership interest in the vehicle;  
44 (2) Auctions the vehicle to a vehicle dealer or automobile  
45 wrecker who is licensed as such in this or any other state; and



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1 (3) Stamps his name, his identification number as a vehicle  
2 dealer and the date of the auction on the certificate of ~~ownership~~  
3 *title* and the bill of sale and any other documents of transfer for the  
4 vehicle.

5 6. A charitable organization which intends to sell a vehicle  
6 which has been donated to the organization must deliver  
7 immediately to the Department or its agent the certificate of  
8 registration and the license plate or plates for the vehicle, if the  
9 license plate or plates have not been removed from the vehicle. The  
10 charitable organization must not be required to register, pay a  
11 transfer or registration fee for, or pay a governmental services tax on  
12 the vehicle. When the vehicle is sold by the charitable organization,  
13 the purchaser shall apply for registration as provided in NRS  
14 482.215 and pay the governmental services taxes due.

15 7. As used in this section, "wholesale vehicle auctioneer"  
16 means a dealer who:

17 (a) Is engaged in the business of auctioning consigned motor  
18 vehicles to vehicle dealers or automobile wreckers, or both, who are  
19 licensed as such in this or any other state; and

20 (b) Does not in the ordinary course of his business buy, sell or  
21 own the vehicles he auctions.

22 **Sec. 18.** NRS 482.415 is hereby amended to read as follows:

23 482.415 1. Whenever application is made to the Department  
24 for registration of a vehicle previously registered pursuant to this  
25 chapter and the applicant is unable to present the certificate of  
26 registration or ~~ownership~~ *certificate of title* previously issued for  
27 the vehicle because the certificate of registration or ~~ownership~~  
28 *certificate of title* is lost, unlawfully detained by one in possession  
29 or otherwise not available, the Department may receive the  
30 application, investigate the circumstances of the case and require the  
31 filing of affidavits or other information. When the Department is  
32 satisfied that the applicant is entitled to a new ~~certificates~~  
33 *certificate* of registration and ~~ownership,~~ *certificate of title*, it may  
34 register the applicant's vehicle and issue new certificates and a new  
35 license plate or plates to the person or persons entitled thereto.

36 2. Whenever application is made to the Department for the  
37 registration of a motor vehicle of which the:

38 (a) Ownership has been transferred;

39 (b) Certificate of ~~ownership~~ *title* is lost, unlawfully detained by  
40 one in possession or otherwise not available; and

41 (c) Model year is 9 years old or newer,  
42 the transferor of the motor vehicle may, ~~for the purpose of~~  
43 ~~furnishing~~ *to furnish* any information required by the Department  
44 to carry out the provisions of NRS 484.60665, designate the



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1 transferee of the motor vehicle as his attorney in fact on a form for a  
2 power of attorney provided by the Department.

3 3. The Department shall provide the form described in  
4 subsection 2. The form must be:

5 (a) Produced in a manner that ensures that the form may not be  
6 easily counterfeited; and

7 (b) Substantially similar to the form set forth in Appendix E of  
8 Part 580 of Title 49 of the Code of Federal Regulations.

9 4. The Department may charge a fee not to exceed 50 cents for  
10 each form it provides.

11 **Sec. 19.** NRS 482.424 is hereby amended to read as follows:

12 482.424 1. When a used or rebuilt vehicle is sold in this  
13 state to any person, except a licensed dealer, by a dealer, rebuilder,  
14 long-term lessor or short-term lessor, the seller shall complete and  
15 execute a dealer's or rebuilder's report of sale. The dealer's or  
16 rebuilder's report of sale must be in a form prescribed by the  
17 Department and must include:

18 (a) A description of the vehicle, including whether it is a rebuilt  
19 vehicle;

20 (b) The name and address of the seller; and

21 (c) The name and address of the buyer.

22 2. If a security interest exists at the time of the sale, or if in  
23 connection with the sale a security interest is taken or retained by  
24 the seller to secure all or part of the purchase price, or a security  
25 interest is taken by a person who gives value to enable the buyer to  
26 acquire rights in the vehicle, the name and address of the secured  
27 party must be entered on the dealer's or rebuilder's report of sale.

28 3. Unless an extension of time is granted by the Department,  
29 the seller shall:

30 (a) Collect the fee set forth in NRS 482.429 for a certificate of  
31 title for a vehicle registered in this state; and

32 (b) Submit the original of the dealer's or rebuilder's report of  
33 sale and remit the fee collected pursuant to this subsection for the  
34 certificate of title to the Department within 30 days after the  
35 execution of the dealer's or rebuilder's report of sale, together with  
36 the properly endorsed certificate of title ~~for certificate of ownership~~  
37 previously issued for the vehicle.

38 4. Upon entering into a contract for the sale of a used or rebuilt  
39 vehicle, the seller shall affix a temporary placard to the rear of the  
40 vehicle. Only one temporary placard may be issued for the vehicle.  
41 The temporary placard must:

42 (a) Be in a form prescribed by the Department;

43 (b) Be made of a material appropriate for use on the exterior of a  
44 vehicle;





1 (c) Be free from foreign materials and clearly visible from the  
2 rear of the vehicle; and

3 (d) Include the date of its expiration.

4 5. Compliance with the requirements of subsection 4 permits  
5 the vehicle to be operated for not more than 30 days after the  
6 execution of the contract. Upon the issuance of the certificate of  
7 registration and license plates for the vehicle or the expiration of the  
8 temporary placard, whichever occurs first, the buyer shall remove  
9 the temporary placard from the rear of the vehicle.

10 6. ~~For the purposes of establishing~~ *To establish* compliance  
11 with the period required by paragraph (b) of subsection 3, the  
12 Department shall use the date imprinted or otherwise indicated on  
13 the dealer's or rebuilder's report of sale as the beginning date of the  
14 30-day period.

15 7. Upon executing all documents necessary to complete the  
16 sale of the vehicle, the seller shall execute the dealer's or rebuilder's  
17 report of sale and furnish a copy of the report to the buyer not less  
18 than 10 days before the expiration of the temporary placard.

19 **Sec. 20.** NRS 482.4245 is hereby amended to read as follows:

20 482.4245 1. If a used or rebuilt vehicle is leased in this state  
21 by a long-term lessor, the long-term lessor shall complete and  
22 execute a long-term lessor's report of lease. Such a report must be in  
23 a form prescribed by the Department and must include:

24 (a) A description of the vehicle;

25 (b) An indication as to whether the vehicle is a rebuilt vehicle;  
26 and

27 (c) The names and addresses of the long-term lessor, long-term  
28 lessee and any person having a security interest in the vehicle.

29 2. Unless an extension of time is granted by the Department,  
30 the long-term lessor shall submit the original of the long-term  
31 lessor's report of lease to the Department within 30 days after the  
32 execution of the long-term lessor's report of lease, together with  
33 the properly endorsed certificate of title ~~for certificate of ownership~~  
34 previously issued for the vehicle.

35 3. Upon entering into a lease for a used or rebuilt vehicle, the  
36 seller shall affix a temporary placard to the rear of the vehicle. Only  
37 one temporary placard may be issued for the vehicle. The temporary  
38 placard must:

39 (a) Be in a form prescribed by the Department;

40 (b) Be made of a material appropriate for use on the exterior of a  
41 vehicle;

42 (c) Be free from foreign materials and clearly visible from the  
43 rear of the vehicle; and

44 (d) Include the date of its expiration.





1       4. Compliance with the requirements of subsection 3 permits  
2 the vehicle to be operated for a period not to exceed 30 days after  
3 the execution of the lease. Upon issuance of the certificate of  
4 registration and license plates for the vehicle or the expiration of the  
5 temporary placard, whichever occurs first, the long-term lessee shall  
6 remove the temporary placard from the rear of the vehicle.

7       5. ~~For the purposes of establishing~~ *To establish* compliance  
8 with the period required by subsection 2, the Department shall use  
9 the date imprinted or otherwise indicated on the long-term lessor's  
10 report of lease as the beginning date of the 30-day period.

11       6. Upon executing all documents necessary to complete the  
12 lease of the vehicle, the long-term lessor shall execute the long-term  
13 lessor's report of lease and furnish a copy of the report to the long-  
14 term lessee not less than 10 days before the expiration of the  
15 temporary placard.

16       **Sec. 21.** NRS 482.426 is hereby amended to read as follows:

17       482.426 When a used or rebuilt vehicle is sold in this state by a  
18 person who is not a dealer or rebuilder, the seller or buyer or both of  
19 them shall, within 10 days after the sale, submit to the Department:

20       1. If a certificate of ~~ownership~~ *title* has been issued in this  
21 state, the certificate properly endorsed.

22       2. If a certificate of title or other document of title has been  
23 issued by a public authority of another state, territory or country:

24       (a) The certificate or document properly endorsed; and

25       (b) A statement containing, if not included in the endorsed  
26 certificate or document, the description of the vehicle, including  
27 whether it is a rebuilt vehicle, the names and addresses of the buyer  
28 and seller, and the name and address of any person who takes or  
29 retains a purchase money security interest. Any such statement must  
30 be signed and acknowledged by the seller and the buyer.

31       3. If no document of title has been issued by any public  
32 authority, a statement containing all the information and signed and  
33 acknowledged in the manner required by paragraph (b) of  
34 subsection 2.

35       **Sec. 22.** NRS 482.427 is hereby amended to read as follows:

36       482.427 1. Upon receipt of the documents required  
37 respectively by NRS 482.423, 482.424 and 482.426 to be submitted  
38 to it, and the payment of all required fees, the Department shall  
39 issue a certificate of ~~ownership~~ *title*.

40       2. If no security interest is created or exists in connection with  
41 the sale, the certificate of ~~ownership~~ *title* must be issued to the  
42 buyer.

43       3. If a security interest is created by the sale, the certificate of  
44 ~~ownership~~ *title* must be issued to the secured party or to his  
45 assignee.



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1     **Sec. 23.** NRS 482.428 is hereby amended to read as follows:

2     482.428 1. Whenever a security interest is created in a motor  
3 vehicle, other than a security interest required to be entered pursuant  
4 to NRS 482.423, 482.424 or 482.426, the certificate of ~~{ownership}~~  
5 ~~title~~ of the vehicle ~~[shall]~~ *must* be delivered to the Department with  
6 a statement signed by the debtor showing the date of the security  
7 agreement, the name and address of the debtor and the name and  
8 address of the secured party.

9     2. The Department shall issue and deliver to the secured party a  
10 certificate of ~~{ownership}~~ *title* with the name and address of the  
11 secured party noted thereon.

12     **Sec. 24.** NRS 482.431 is hereby amended to read as follows:

13     482.431 Within 15 days after the terms of the contract or  
14 security agreement have been fully performed, the seller or other  
15 secured party who holds a certificate of ~~{ownership}~~ *title* shall  
16 deliver the certificate of ~~{ownership}~~ *title* to the person or persons  
17 legally entitled thereto, with proper evidence of the termination or  
18 release of the security interest.

19     **Sec. 25.** NRS 482.436 is hereby amended to read as follows:

20     482.436 Any person is guilty of a gross misdemeanor who  
21 knowingly:

22     1. Makes any false entry on any certificate of origin or  
23 certificate of ~~{ownership}~~ *title*;

24     2. Furnishes false information to the Department concerning  
25 any security interest; or

26     3. Fails to submit the original of the dealer's or rebuilder's  
27 report of sale of a used or rebuilt vehicle to the Department within  
28 the time prescribed in subsection 3 of NRS 482.424.

29     **Sec. 26.** NRS 482.438 is hereby amended to read as follows:

30     482.438 1. It is unlawful for a dealer or any other person,  
31 with the intent to defraud, to obtain a duplicate certificate of  
32 ~~{ownership}~~ *title* for any vehicle in which he grants a security  
33 interest to secure a present or future debt, obligation or liability of  
34 any nature arising from a loan or other extension of credit made in  
35 connection with the financing of the inventory of the vehicles of the  
36 dealer, or to engage in any other similar practice commonly known  
37 as "flooring."

38     2. A person who violates the provisions of subsection 1 shall  
39 be punished in accordance with the provisions of NRS 205.380.

40     3. In addition to any penalty imposed pursuant to subsection 2,  
41 the court shall order the person to pay restitution.

42     **Sec. 27.** NRS 482.441 is hereby amended to read as follows:

43     482.441 The Department may identify trimobiles as such on  
44 certificates of ~~{ownership}~~ *title* and registration.



1     **Sec. 28.** NRS 482.465 is hereby amended to read as follows:

2     482.465 1. The Department shall rescind and cancel the  
3 registration of a vehicle whenever the person to whom the certificate  
4 of registration or license plates therefor have been issued makes or  
5 permits to be made any unlawful use of the certificate or plates or  
6 permits the use thereof by a person not entitled thereto.

7     2. The Department shall cancel a certificate of ~~ownership~~ title  
8 or certificate of registration and license plates which have been  
9 issued erroneously or improperly, or obtained illegally.

10    3. In addition to any other penalty set forth in this chapter and  
11 chapters 366 and 706 of NRS, the Department may revoke a  
12 certificate of ~~ownership~~ title or a certificate of registration and  
13 license plates for a vehicle with a declared gross weight in excess of  
14 26,000 pounds if the Department determines that:

15       (a) The licensee of the vehicle has violated one or more of the  
16 provisions of this chapter or chapter 366 or 706 of NRS; and

17       (b) There is reasonable cause for the revocation.

18    4. Before revoking a certificate of ~~ownership~~ title or a  
19 certificate of registration and license plates pursuant to subsection 3,  
20 the Department must send a written notice by certified mail to the  
21 licensee at his last known address ordering him to appear before  
22 the Department at a time not less than 10 days after the mailing of  
23 the notice to show cause why the certificate of ~~ownership~~ title  
24 or the certificate of registration and license plates should not be  
25 revoked pursuant to this section.

26    5. Upon rescission, revocation or cancelation of the certificate  
27 of ~~ownership~~ title or of the certificate of registration and license  
28 plates, the affected certificate or certificate and plates must be  
29 returned to the Department upon receipt of notice of rescission,  
30 revocation or cancelation.

31     **Sec. 29.** NRS 482.470 is hereby amended to read as follows:

32     482.470 1. If any vehicle is dismantled, junked or rendered  
33 inoperative and unfit for further use in accordance with the original  
34 purpose for which it was constructed, the owner shall deliver to the  
35 Department any certificate of registration and certificate of  
36 ~~ownership~~ title issued by the Department or any other jurisdiction,  
37 unless the certificate of ~~ownership~~ title is required for the  
38 collection of any insurance or other indemnity for the loss of the  
39 vehicle, or for transfer in order to dispose of the vehicle.

40    2. Any other person taking possession of a vehicle described in  
41 subsection 1 shall immediately deliver to the Department any  
42 license plate or plates, certificate of registration or certificate of  
43 ~~ownership~~ title issued by the Department or any other jurisdiction,  
44 if he has acquired possession of any of these and unless the



1 certificate of ~~ownership~~ title is required for a further transfer in the  
2 ultimate disposition of the vehicle.

3 3. The Department may issue a salvage title as provided in  
4 chapter 487 of NRS. The Department shall not charge a fee for the  
5 issuance of the salvage title.

6 4. The Department shall destroy any plate or plates, certificate  
7 of registration or certificate of ~~ownership~~ title that is returned in a  
8 manner described in subsections 1 and 2. The Department shall not  
9 issue a certificate of registration or certificate of ~~ownership~~ title  
10 for a vehicle with the same identification number as the dismantled,  
11 junked or inoperative vehicle if the vehicle was manufactured  
12 in the 5 years preceding the date on which it was dismantled,  
13 junked or otherwise rendered inoperative, unless the Department  
14 authorizes the restoration of the vehicle pursuant to subsection 2 of  
15 NRS 482.553.

16 **Sec. 30.** NRS 482.545 is hereby amended to read as follows:

17 482.545 It is unlawful for any person to commit any of the  
18 following acts:

19 1. To operate, or for the owner thereof knowingly to permit the  
20 operation of, upon a highway any motor vehicle, trailer or  
21 semitrailer which is not registered or which does not have attached  
22 thereto and displayed thereon the number of plate or plates assigned  
23 thereto by the Department for the current period of registration or  
24 calendar year, subject to the exemption allowed in NRS 482.316 to  
25 482.3175, inclusive, 482.320 to 482.363, inclusive, 482.385 to  
26 482.3965, inclusive, and 482.420.

27 2. To display, cause or permit to be displayed or to have in  
28 possession any certificate of registration, license plate, certificate of  
29 ~~ownership~~ title or other document of title knowing it to be  
30 fictitious or to have been canceled, revoked, suspended or altered.

31 3. To lend to or knowingly permit the use of by one not entitled  
32 thereto any registration card or plate issued to the person so lending  
33 or permitting the use thereof.

34 4. To fail or to refuse to surrender to the Department, upon  
35 demand, any registration card or plate which has been suspended,  
36 canceled or revoked as provided in this chapter.

37 5. To use a false or fictitious name or address in any  
38 application for the registration of any vehicle or for any renewal or  
39 duplicate thereof, or knowingly to make a false statement or  
40 knowingly to conceal a material fact or otherwise commit a fraud in  
41 an application. A violation of this subsection is a gross  
42 misdemeanor.

43 6. Knowingly to operate a vehicle which:

44 (a) Has an altered identification number or mark; or



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1 (b) Contains a part which has an altered identification number or  
2 mark.

3 **Sec. 31.** NRS 482.555 is hereby amended to read as follows:

4 482.555 In addition to any other penalty provided by this  
5 chapter:

6 1. It is a gross misdemeanor for any person knowingly to  
7 falsify:

8 (a) A dealer's or rebuilder's report of sale, as described in NRS  
9 482.423 and 482.424; or

10 (b) An application or document to obtain any:

11 (1) License;

12 (2) Permit; or

13 (3) Certificate of ~~ownership,~~ title,

14 issued under the provisions of this chapter.

15 2. It is a misdemeanor for any person to violate any of the  
16 provisions of this chapter unless such violation is by this section or  
17 other provision of this chapter or other law of this state declared to  
18 be a gross misdemeanor or a felony.

19 **Sec. 32.** NRS 483.290 is hereby amended to read as follows:

20 483.290 1. Every application for an instruction permit or for  
21 a driver's license must:

22 (a) Be made upon a form furnished by the Department.

23 (b) Be verified by the applicant before a person authorized to  
24 administer oaths. Officers and employees of the Department may  
25 administer those oaths without charge.

26 (c) Be accompanied by the required fee.

27 (d) State the ~~full~~ name, date of birth, sex and residence address  
28 of the applicant and briefly describe the applicant.

29 (e) State whether the applicant has theretofore been licensed as a  
30 driver, and, if so, when and by what state or country, and whether  
31 any such license has ever been suspended or revoked, or whether an  
32 application has ever been refused, and, if so, the date of and reason  
33 for the suspension, revocation or refusal.

34 (f) Include such other information as the Department may  
35 require to determine the competency and eligibility of the applicant.

36 2. Every applicant must furnish proof of his age by displaying:

37 (a) If the applicant was born in the United States, a birth  
38 certificate issued by a state or the District of Columbia or other  
39 proof of the date of birth of the applicant, including, but not limited  
40 to, a driver's license issued by another state or the District of  
41 Columbia, or a baptismal certificate and other proof that is  
42 determined to be necessary and is acceptable to the Department; or

43 (b) If the applicant was born outside the United States, a  
44 Certificate of Citizenship, Certificate of Naturalization, Arrival-  
45 Departure Record, Alien Registration Receipt Card, United States



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1 Citizen Identification Card or Letter of Authorization issued by the  
2 Immigration and Naturalization Service of the United States  
3 Department of Justice or a Report of Birth Abroad of a *Citizen of*  
4 *the* United States ~~[Citizen-Child]~~ issued by the Department of State,  
5 a driver's license issued by another state or the District of Columbia  
6 or other proof acceptable to the Department other than a passport  
7 issued by a foreign government.

8 3. At the time of applying for a driver's license, an applicant  
9 may, if eligible, register to vote pursuant to NRS 293.524.

10 4. Every applicant who has been assigned a social security  
11 number must furnish proof of his social security number by  
12 displaying:

13 (a) An original card issued to the applicant by the Social  
14 Security Administration bearing the social security number of the  
15 applicant; or

16 (b) Other proof acceptable to the Department, including, but not  
17 limited to, records of employment or federal income tax returns.

18 **Sec. 33.** NRS 483.340 is hereby amended to read as follows:

19 483.340 1. The Department shall, upon payment of the  
20 required fee, issue to every qualified applicant a driver's license  
21 indicating the type or class of vehicles the licensee may drive. The  
22 license must bear a unique number assigned to the licensee pursuant  
23 to NRS 483.345, the licensee's social security number, if he has one,  
24 unless he requests that it not appear on the license, the ~~[full]~~ name,  
25 date of birth, mailing address and a brief description of the licensee,  
26 and a space upon which the licensee shall write his usual signature  
27 in ink immediately upon receipt of the license. A license is not valid  
28 until it has been so signed by the licensee.

29 2. The Department may issue a driver's license for purposes of  
30 identification only for use by officers of local police and sheriffs'  
31 departments, agents of the Investigation Division of the Department  
32 of Public Safety while engaged in special undercover investigations  
33 relating to narcotics or prostitution or for other undercover  
34 investigations requiring the establishment of a fictitious identity,  
35 federal agents while engaged in undercover investigations,  
36 investigators employed by the Attorney General while engaged in  
37 undercover investigations and agents of the State Gaming Control  
38 Board while engaged in investigations pursuant to NRS 463.140. An  
39 application for such a license must be made through the head of the  
40 police or sheriff's department, the Chief of the Investigation  
41 Division of the Department of Public Safety, the director of the  
42 appropriate federal agency, the Attorney General or the Chairman of  
43 the State Gaming Control Board. Such a license is exempt from the  
44 fees required by NRS 483.410. The Department, by regulation, shall



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1 provide for the cancelation of any such driver's license upon the  
2 completion of the special investigation for which it was issued.

3 3. Information pertaining to the issuance of a driver's license  
4 pursuant to subsection 2 is confidential.

5 4. It is unlawful for any person to use a driver's license issued  
6 pursuant to subsection 2 for any purpose other than the special  
7 investigation for which it was issued.

8 5. At the time of the issuance or renewal of the driver's license,  
9 the Department shall:

10 (a) Give the holder the opportunity to indicate on his driver's  
11 license that he wishes to be a donor of all or part of his body  
12 pursuant to NRS 451.500 to 451.590, inclusive, or that he refuses to  
13 make an anatomical gift of his body or part of his body;

14 (b) Give the holder the opportunity to indicate whether he  
15 wishes to donate \$1 or more to the Anatomical Gift Account created  
16 by NRS 460.150; and

17 (c) Provide to each holder who is interested in becoming a donor  
18 information relating to anatomical gifts, including the procedure for  
19 registration as a donor with The Living Bank International or its  
20 successor organization.

21 6. If the holder wishes to make a donation to the Anatomical  
22 Gift Account, the Department shall collect the donation and deposit  
23 the money collected in the State Treasury for credit to the  
24 Anatomical Gift Account.

25 7. The Department shall submit to The Living Bank  
26 International, or its successor organization, information from the  
27 records of the Department relating to persons who have drivers'  
28 licenses that indicate the intention of those persons to make an  
29 anatomical gift. The Department shall adopt regulations to carry out  
30 the provisions of this subsection.

31 **Sec. 34.** NRS 483.850 is hereby amended to read as follows:

32 483.850 1. Every application for an identification card must  
33 be made upon a form provided by the Department and include:

34 (a) The applicant's ~~full~~ name.

35 (b) His social security number, if any.

36 (c) His date of birth.

37 (d) His state of legal residence.

38 (e) His current address in this state, unless the applicant is on  
39 active duty in the military service of the United States.

40 (f) A statement from:

41 (1) A resident stating that he does not hold a valid driver's  
42 license or identification card from any state or jurisdiction; or

43 (2) A seasonal resident stating that he does not hold a valid  
44 Nevada driver's license.





1     2. When the form is completed, the applicant must sign the  
2 form and verify the contents before a person authorized to  
3 administer oaths.

4     3. At the time of applying for an identification card, an  
5 applicant may, if eligible, register to vote pursuant to NRS 293.524.

6     4. A person who possesses a driver's license or identification  
7 card issued by another state or jurisdiction who wishes to apply for  
8 an identification card pursuant to this section shall surrender to the  
9 Department the driver's license or identification card issued by the  
10 other state or jurisdiction at the time he applies for an identification  
11 card pursuant to this section.

12     **Sec. 35.** NRS 486.081 is hereby amended to read as follows:

13     486.081 1. Every application for a motorcycle driver's  
14 license must be made upon a form furnished by the Department and  
15 must be verified by the applicant before a person authorized to  
16 administer oaths. Officers and employees of the Department may  
17 administer those oaths without charge.

18     2. Every application must:

19     (a) State the ~~full~~ name, date of birth, sex and residence address  
20 of the applicant;

21     (b) Briefly describe the applicant;

22     (c) State whether the applicant has previously been licensed as a  
23 driver, and, if so, when and by what state or country;

24     (d) State whether any such license has ever been suspended or  
25 revoked, or whether an application has ever been refused, and, if so,  
26 the date of and reason for such suspension, revocation or refusal;  
27 and

28     (e) Give such other information as the Department requires to  
29 determine the competency and eligibility of the applicant.

30     3. Every applicant shall furnish proof of his age by displaying:

31     (a) If he was born in the United States, a certified state-issued  
32 birth certificate, baptismal certificate, driver's license issued by  
33 another state or the District of Columbia or other proof acceptable to  
34 the Department; or

35     (b) If he was born outside the United States, a:

36         (1) Certificate of Citizenship, Certificate of Naturalization,  
37 Arrival-Departure Record, Alien Registration Receipt Card, United  
38 States Citizen Identification Card or Letter of Authorization issued  
39 by the Immigration and Naturalization Service of the Department of  
40 Justice;

41         (2) Report of Birth Abroad of a *Citizen of the* United States  
42 ~~{Citizen Child}~~ issued by the Department of State;

43         (3) Driver's license issued by another state or the District of  
44 Columbia; or

45         (4) Passport issued by the United States Government.



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1     **Sec. 36.** NRS 487.100 is hereby amended to read as follows:

2     487.100 1. Except as otherwise provided in subsection 2, any  
3 automobile wrecker purchasing from any person other than a  
4 licensed operator of a salvage pool ~~[-]~~ any vehicle subject to  
5 registration pursuant to the laws of this state shall forward to the  
6 Department the certificates of ~~{ownership}~~ *title* and registration last  
7 issued therefor.

8     2. The certificate of ownership last issued for a mobile home or  
9 commercial coach must be sent by the wrecker to the Manufactured  
10 Housing Division.

11     3. The state agency may issue to the licensee a salvage title  
12 containing a brief description of the vehicle, including, insofar as  
13 data may exist with respect to the vehicle, the make, type, serial  
14 number and motor number, or any other number of the vehicle. The  
15 state agency shall not charge a fee for the issuance of the salvage  
16 title.

17     **Sec. 37.** NRS 487.110 is hereby amended to read as follows:

18     487.110 1. Except as otherwise provided in subsection 2,  
19 whenever a vehicle subject to registration is sold as salvage:

20     (a) As a result of a total loss insurance settlement, the insurance  
21 company or its authorized agent shall forward the endorsed  
22 ~~{ownership}~~ certificate *of title* or other evidence of title to the state  
23 agency within 30 days after receipt thereof; or

24     (b) Because the owner determines that the vehicle is a total loss  
25 vehicle,  
26 the owner shall forward the ~~{ownership}~~ certificate *of title* or other  
27 evidence of title to the state agency within 120 days after the vehicle  
28 is damaged.

29     2. The insurance company or its authorized agent may sell a  
30 vehicle for which a total loss settlement has been made with the  
31 properly endorsed ~~{ownership}~~ certificate *of title* or other evidence  
32 of title if the total loss settlement resulted from the theft of the  
33 vehicle and the vehicle, when recovered, was not damaged to  
34 the extent that it was required to be rebuilt. An owner who has  
35 determined that a vehicle is a total loss vehicle may sell the vehicle  
36 with the properly endorsed ~~{ownership}~~ certificate *of title* or other  
37 evidence of title to a salvage pool, automobile auction, rebuilder,  
38 automobile wrecker or a new or used motor vehicle dealer.

39     3. Upon the sale of the salvage vehicle, the insurance company,  
40 salvage pool, automobile auction, leasing company or financial  
41 institution which sells the salvage vehicle shall issue a bill of sale of  
42 salvage to the purchaser on a form to be prescribed and supplied by  
43 the state agency. The state agency shall accept the bill of sale of  
44 salvage in lieu of the ~~{ownership}~~ certificate *of title* or other



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1 evidence of title when accompanied by an appropriate application or  
2 other documents and fees.

3 4. When the salvage vehicle is rebuilt and to be restored to  
4 operation, the vehicle may not be licensed for operation or the  
5 ownership thereof transferred until there is submitted to the state  
6 agency with the prescribed bill of sale of salvage an appropriate  
7 application, other documents and fees required, and a certificate of  
8 inspection signed by an employee of the state agency attesting to its  
9 mechanical fitness and safety.

10 5. When a total loss insurance settlement between the  
11 insurance company and its insured results in the retention of the  
12 salvage vehicle by the insured, the insurance company or its  
13 authorized agent shall, within 30 days after the date of settlement,  
14 notify the state agency of the retention by its insured upon a form to  
15 be supplied by the state agency.

16 **Sec. 38.** NRS 487.120 is hereby amended to read as follows:

17 487.120 1. If the applicant for a salvage title is unable to  
18 furnish the certificates of ~~ownership~~ **title** and registration last  
19 issued for the vehicle or a bill of sale of salvage, the state agency  
20 may accept the application, examine the circumstances of the case  
21 and require the filing of suitable affidavits or other information or  
22 documents. If satisfied that the applicant is entitled to a salvage title,  
23 the state agency may issue the salvage title.

24 2. No duplicate certificate of ~~ownership~~ **title** or registration  
25 may be issued when a salvage title is applied for, and no fees are  
26 required for the affidavits of any stolen, lost or damaged certificate,  
27 or duplicates thereof, unless the vehicle is subsequently registered.

28 **Sec. 39.** NRS 487.160 is hereby amended to read as follows:

29 487.160 1. The Department, after notice and hearing, may  
30 suspend, revoke or refuse to renew a license of an automobile  
31 wrecker upon determining that the automobile wrecker:

32 (a) Is not lawfully entitled thereto;

33 (b) Has made, or knowingly or negligently permitted, any illegal  
34 use of that license;

35 (c) Has failed to return a salvage title to the state agency when  
36 and as required of him by NRS 487.045 to 487.190, inclusive; or

37 (d) Has failed to surrender to the state agency certificates of  
38 ~~ownership~~ **title** for vehicles before beginning to dismantle or  
39 wreck the vehicles.

40 2. The applicant or licensee may, within 30 days after receipt  
41 of the notice of refusal, suspension or revocation, petition the  
42 Department in writing for a hearing.

43 3. Hearings under this section and appeals therefrom must be  
44 conducted in the manner prescribed in NRS 482.353 and 482.354.



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- 1       4. The Department may suspend, revoke or refuse to renew a  
2 license of an automobile wrecker, or deny a license to an applicant  
3 therefor, if the licensee or applicant:
- 4       (a) Does not have or maintain an established place of business in  
5 this state.
- 6       (b) Made a material misstatement in any application.
- 7       (c) Willfully fails to comply with any provision of NRS 487.045  
8 to 487.190, inclusive.
- 9       (d) Fails to furnish and keep in force any bond required by NRS  
10 ~~487.050~~ 487.045 to 487.190, inclusive.
- 11       (e) Fails to discharge any final judgment entered against him  
12 when the judgment arises out of any misrepresentation of a vehicle,  
13 trailer or semitrailer.
- 14       (f) Fails to maintain any license or bond required by a political  
15 subdivision of this state.
- 16       (g) Has been convicted of a felony.
- 17       (h) Has been convicted of a misdemeanor or gross misdemeanor  
18 for a violation of a provision of this chapter.
- 19       (i) Fails or refuses to provide to the Department an authorization  
20 for the disclosure of financial records for the business as required  
21 pursuant to subsection 7.
- 22       5. If an application for a license as an automobile wrecker is  
23 denied, the applicant may not submit another application for at least  
24 6 months after the date of the denial.
- 25       6. The Department may refuse to review a subsequent  
26 application for licensing submitted by any person who violates any  
27 provision of this chapter.
- 28       7. Upon the receipt of any report or complaint alleging that an  
29 applicant or a licensee has engaged in financial misconduct or has  
30 failed to satisfy any financial obligation related to the business of  
31 dismantling, scrapping, processing or wrecking of vehicles, the  
32 Department may require the applicant or licensee to submit to the  
33 Department an authorization for the disclosure of financial records  
34 for the business as provided in NRS 239A.090. The Department  
35 may use any information obtained pursuant to such an authorization  
36 only to determine the suitability of the applicant or licensee for  
37 initial or continued licensure. Information obtained pursuant to such  
38 an authorization may be disclosed only to those employees of the  
39 Department who are authorized to issue a license to an applicant  
40 pursuant to NRS ~~487.050~~ 487.045 to 487.200, inclusive, or to  
41 determine the suitability of an applicant or a licensee for such  
42 licensure.
- 43       8. For the purposes of this section, failure to adhere to the  
44 directives of the state agency advising the licensee of his  
45 noncompliance with any provision of NRS 487.045 to 487.190,



1 inclusive, or regulations of the state agency, within 10 days after the  
2 receipt of those directives, is prima facie evidence of willful failure  
3 to comply.

4 **Sec. 40.** NRS 487.185 is hereby amended to read as follows:

5 487.185 1. A person shall not remove a total loss vehicle  
6 from this state ~~for the purpose of selling~~ *to sell* that vehicle unless  
7 the ~~ownership~~ certificate *of title* or other evidence of title has been  
8 forwarded to the state agency pursuant to paragraph (b) of  
9 subsection 1 of NRS 487.110.

10 2. A person who violates the provisions of this section:

11 (a) If the value of the vehicle removed from this state is less than  
12 \$250, is guilty of a misdemeanor.

13 (b) If the value of the vehicle removed from this state is \$250 or  
14 more, is guilty of a gross misdemeanor.

15 **Sec. 41.** NRS 487.250 is hereby amended to read as follows:

16 487.250 1. The state agency or political subdivision shall,  
17 within 48 hours after the appraisal, notify the head of the state  
18 agency of the removal of the vehicle. The notice must contain:

19 (a) A description of the vehicle.

20 (b) The appraised value of the vehicle.

21 (c) A statement as to whether the vehicle will be junked,  
22 dismantled or otherwise disposed of.

23 2. The person who removed the vehicle must notify the  
24 registered owner and any person having a security interest in the  
25 vehicle by registered or certified mail that the vehicle has been  
26 removed and will be junked or dismantled or otherwise disposed of  
27 unless the registered owner or the person having a security interest  
28 in the vehicle responds and pays the costs of removal.

29 3. Failure to reclaim within 15 days after notification a vehicle  
30 appraised at \$500 or less constitutes a waiver of interest in the  
31 vehicle by any person having an interest in the vehicle.

32 4. If all recorded interests in a vehicle appraised at \$500 or less  
33 are waived, either as provided in subsection 3 or by written  
34 disclaimer by any person having an interest in the vehicle, the state  
35 agency shall issue a salvage title to the automobile wrecker who  
36 towed the vehicle or to whom the vehicle may have been delivered,  
37 or a certificate of ~~ownership~~ *title* to the garage owner if he elects to  
38 retain the vehicle and the vehicle is equipped as required by chapter  
39 484 of NRS.

40 **Sec. 42.** NRS 487.270 is hereby amended to read as follows:

41 487.270 1. Whenever a vehicle has been removed to a garage  
42 or other place as provided by NRS 487.230, the owner of the garage  
43 or the automobile wrecker who towed the vehicle has a lien on the  
44 vehicle for the costs of towing and storing for a period not  
45 exceeding 90 days.



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1       2. If the vehicle is appraised at a value of \$500 or less and is  
2 not reclaimed within the period prescribed in NRS 487.250, the  
3 owner of the garage or automobile wrecker may satisfy his lien by  
4 retaining the vehicle and obtaining a certificate of ~~ownership~~ title  
5 thereto or a salvage title as provided in NRS 487.250.

6       3. If the vehicle is appraised at a value of more than \$500 and  
7 is not reclaimed within 45 days, the owner of the garage or  
8 automobile wrecker may satisfy his lien, in accordance with the  
9 provisions of NRS 108.265 to 108.360, inclusive.

10       **Sec. 43.** NRS 487.480 is hereby amended to read as follows:

11       487.480 1. Before an operator of a salvage pool sells any  
12 vehicle subject to registration pursuant to the laws of this state, he  
13 must have in his possession the certificate of ~~ownership~~ title or a  
14 bill of sale of salvage for that vehicle. He shall, within 10 days after  
15 completion of the transaction, forward the certificate of ~~ownership~~  
16 title or bill of sale of salvage to the Department. The Department  
17 shall not issue a certificate of registration or certificate of  
18 ~~ownership~~ title for a vehicle with the same identification number if  
19 the vehicle was manufactured in the 5 years preceding the date on  
20 which the operator forwards the certificates to the Department,  
21 unless the Department authorizes the restoration of the vehicle  
22 pursuant to subsection 2 of NRS 482.553.

23       2. Upon sale of the vehicle, the operator of the salvage pool  
24 shall provide a bill of sale of salvage to the licensed automobile  
25 wrecker, dealer of new or used motor vehicles or rebuilder on a  
26 form prescribed and supplied by the Department. The Department  
27 shall accept the bill of sale of salvage in lieu of the certificate of  
28 ~~ownership~~ title or other evidence of title from the:

29       (a) Automobile wrecker, if the bill of sale of salvage is  
30 accompanied by an appropriate application for a salvage title; or

31       (b) Dealer of new or used motor vehicles or rebuilder when he  
32 licenses the vehicle for operation or transfers ownership of it, if the  
33 bill of sale of salvage is accompanied by an appropriate application,  
34 all other required documents and fees, and a certificate of inspection  
35 signed by an employee of the Department attesting to the  
36 mechanical fitness and safety of the vehicle.

37       3. The Department may issue to:

38       (a) The licensed automobile wrecker;

39       (b) A licensed operator of a salvage pool;

40       (c) A dealer of new or used motor vehicles who is licensed in  
41 another state or foreign country and is registered with a salvage  
42 pool; or

43       (d) An automobile wrecker or dismantler who is licensed in  
44 another state or foreign country and is registered with a salvage  
45 pool,



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1 a salvage title that contains a brief description of the vehicle,  
2 including, insofar as data may exist with respect to the vehicle, the  
3 make, type, serial number and motor number, or any other number  
4 of the vehicle. Except as otherwise provided in this subsection, the  
5 Department shall charge and collect a fee of \$10 for the issuance of  
6 a salvage title pursuant to this subsection. The Department shall not  
7 charge such a fee for the issuance of a salvage title to an automobile  
8 wrecker licensed in this state. Fees collected by the Department  
9 pursuant to this subsection must be deposited with the State  
10 Treasurer to the credit of the Account for Regulation of Salvage  
11 Pools, Automobile Wreckers, Body Shops and Garages. Possession  
12 of a salvage title does not entitle a person to dismantle, scrap,  
13 process or wreck any vehicle in this state unless the person holds a  
14 license issued pursuant to NRS 487.050.

15 **Sec. 44.** NRS 125B.220 is hereby amended to read as follows:

16 125B.220 1. Upon deposit of any asset pursuant to NRS  
17 125B.210 which is not money or is not readily convertible into  
18 money, the court may, not fewer than 25 days after serving the  
19 obligor-parent with written notice and providing an opportunity for  
20 hearing, order the sale of the asset and deposit the proceeds of the  
21 sale with the trustee designated by the court to receive the assets.  
22 The sale of assets must be conducted in accordance with the  
23 provisions set forth in NRS 21.130 to 21.260, inclusive, governing  
24 the sale of property under execution.

25 2. When an asset ordered to be deposited is real property, the  
26 order must be certified in accordance with NRS 17.150 and recorded  
27 with the county recorder. The deposited real property and the rights,  
28 benefits and liabilities attached to that property continue in the  
29 possession of the legal owner until it becomes subject to a use or  
30 sale of assets pursuant to this section or NRS 125B.210. The legal  
31 owner may not transfer, encumber, hypothecate, dispose of or  
32 realize profits from the property unless approved by the court.

33 3. When an asset ordered to be deposited is personal property  
34 or fixtures including goods, documents, instruments, general  
35 intangibles, chattel paper or accounts, the trustee shall file a  
36 financing statement in accordance with NRS 104.9501, 104.9502  
37 and 104.9516.

38 4. When an asset ordered to be deposited is a vehicle registered  
39 with the Department of Motor Vehicles, the trustee shall deliver to  
40 the Department the certificate of ~~ownership~~ *title* of the vehicle in  
41 accordance with NRS 482.428.

42 **Sec. 45.** NRS 125B.280 is hereby amended to read as follows:

43 125B.280 1. The trustee designated by the court to receive  
44 assets pursuant to NRS 125B.210 shall return any assets to the  
45 obligor-parent when:



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1 (a) The obligor-parent has given the trustee notice to return  
2 assets;

3 (b) All payments in arrears have been paid in full; and

4 (c) The obligor-parent has made, in a timely manner, all  
5 payments of support ordered for the 12 months immediately  
6 preceding the date notice was given to the trustee.

7 2. If the deposited assets include real property, upon the  
8 satisfaction of the requirements of subsection 1, the trustee shall  
9 prepare a release and record it in the office of the county recorder.

10 3. If the deposited assets include personal property or fixtures  
11 including goods, documents, instruments, general intangibles,  
12 chattel paper or accounts, the trustee shall, upon the satisfaction of  
13 the requirements of subsection 1, prepare a termination statement  
14 and file it in accordance with NRS 104.9513.

15 4. If the deposited assets include a vehicle registered with  
16 the Department of Motor Vehicles, the trustee shall, upon the  
17 satisfaction of the requirements of subsection 1, deliver the  
18 certificate of ~~ownership~~ *title* to the obligor-parent in accordance  
19 with NRS 482.431.

20 **Sec. 46.** NRS 146.080 is hereby amended to read as follows:

21 146.080 1. If a decedent leaves no real property, nor interest  
22 therein, nor mortgage or lien thereon, in this state, and the gross  
23 value of the decedent's property in this state, over and above any  
24 amounts due to the decedent for services in the Armed Forces of the  
25 United States, does not exceed \$20,000, a person who has a right to  
26 succeed to the property of the decedent pursuant to the laws of  
27 succession for a decedent who died intestate or pursuant to the valid  
28 will of a decedent who died testate, on behalf of all persons entitled  
29 to succeed to the property claimed, or the State Welfare  
30 Administrator or public administrator on behalf of the State or  
31 others entitled to the property, may, 40 days after the death of the  
32 decedent, without procuring letters of administration or awaiting  
33 the probate of the will, collect any money due the decedent, receive  
34 the property of the decedent, and have any evidences of interest,  
35 indebtedness or right transferred to the claimant upon furnishing the  
36 person, representative, corporation, officer or body owing the  
37 money, having custody of the property or acting as registrar or  
38 transfer agent of the evidences of interest, indebtedness or right,  
39 with an affidavit showing the right of the affiant or affiants to  
40 receive the money or property or to have the evidence transferred.

41 2. An affidavit made pursuant to this section must state:

42 (a) The affiant's name and address, and that the affiant is  
43 entitled by law to succeed to the property claimed;

44 (b) The date and place of death of the decedent;



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1 (c) That the gross value of the decedent's property in this state,  
2 except amounts due ~~to~~ the decedent for services in the Armed  
3 Forces of the United States, does not exceed \$20,000, and that the  
4 property does not include any real property nor interest therein, nor  
5 mortgage or lien thereon;

6 (d) That at least 40 days have elapsed since the death of the  
7 decedent, as shown in a certified copy of the certificate of death of  
8 the decedent attached to the affidavit;

9 (e) That no petition for the appointment of a personal  
10 representative is pending or has been granted in any jurisdiction;

11 (f) That all debts of the decedent, including funeral and burial  
12 expenses, and money owed to the Department of Human Resources  
13 as a result of the payment of benefits for Medicaid, have been paid  
14 or provided for;

15 (g) A description of the personal property and the portion  
16 claimed;

17 (h) That the affiant has given written notice, by personal service  
18 or by certified mail, identifying the affiant's claim and describing  
19 the property claimed, to every person whose right to succeed to the  
20 decedent's property is equal or superior to that of the affiant, and  
21 that at least 14 days have elapsed since the notice was served or  
22 mailed;

23 (i) That the affiant is personally entitled, or the Department of  
24 Human Resources is entitled, to full payment or delivery of the  
25 property claimed or is entitled to payment or delivery on behalf of  
26 and with the written authority of all other successors who have an  
27 interest in the property; and

28 (j) That the affiant acknowledges an understanding that filing a  
29 false affidavit constitutes a felony in this state.

30 3. If the affiant:

31 (a) Submits an affidavit which does not meet the requirements  
32 of subsection 2 or which contains statements which are not entirely  
33 true, any money or property the affiant receives is subject to all  
34 debts of the decedent.

35 (b) Fails to give notice to other successors as required by  
36 subsection 2, any money or property the affiant receives is held by  
37 the affiant in trust for all other successors who have an interest in  
38 the property.

39 4. A person who receives an affidavit containing the  
40 information required by subsection 2 is entitled to rely upon that  
41 information, and if the person relies in good faith, the person is  
42 immune from civil liability for actions based on that reliance.

43 5. Upon receiving proof of the death of the decedent and an  
44 affidavit containing the information required by this section:



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1 (a) A transfer agent of any security shall change the registered  
2 ownership of the security claimed from the decedent to the person  
3 claiming to succeed to ownership of that security.

4 (b) A governmental agency required to issue certificates of *title*,  
5 ownership or registration to personal property shall issue a new  
6 certificate of *title*, ownership or registration to the person claiming  
7 to succeed to ownership of the property.

8 6. If any property of the estate not exceeding \$20,000 is  
9 located in a state which requires an order of a court for the transfer  
10 of the property, or if the estate consists of stocks or bonds which  
11 must be transferred by an agent outside this state, any person  
12 qualified pursuant to the provisions of subsection 1 to have the  
13 stocks or bonds or other property transferred may do so by obtaining  
14 a court order directing the transfer. The person desiring the transfer  
15 must file a petition, which may be ex parte, containing:

16 (a) A specific description of all the property of the decedent.

17 (b) A list of all the liens and mortgages of record at the date of  
18 the decedent's death.

19 (c) An estimate of the value of the property of the decedent.

20 (d) The names, ages of any minors ~~§~~ and residences of the  
21 decedent's heirs and devisees.

22 (e) A request for the court to issue an order directing the transfer  
23 of the stocks or bonds or other property if the court finds the gross  
24 value of the estate does not exceed \$20,000.

25 (f) An attached copy of the executed affidavit made pursuant to  
26 subsection 2.

27 If the court finds that the gross value of the estate does not exceed  
28 \$20,000 and the person requesting the transfer is entitled to it, the  
29 court may enter an order directing the transfer.

30 **Sec. 47.** NRS 179.1185 is hereby amended to read as follows:

31 179.1185 If a vehicle or other conveyance is forfeited of a kind  
32 which is subject to the provisions of title 43 of NRS governing  
33 certificates of ~~ownership,~~ *title*, the agency charged by law with  
34 responsibility for issuing certificates of ~~ownership~~ *title* for  
35 conveyances of the kind shall issue a certificate of ~~ownership~~ *title*  
36 to:

37 1. The governing body or the agency to whom the title was  
38 awarded by the court if the conveyance is retained for official use;  
39 or

40 2. The purchaser if the conveyance is sold by the governing  
41 body or the plaintiff.

42 **Sec. 48.** NRS 253.0403 is hereby amended to read as follows:

43 253.0403 1. When the gross value of a decedent's property  
44 situated in this state does not exceed \$5,000, a public administrator  
45 may, without procuring letters of administration, administer the



1 estate of that person upon filing with the court an affidavit of his  
2 right to do so.

3 2. The affidavit must provide:

4 (a) The public administrator's name and address, and his  
5 attestation that he is entitled by law to administer the estate;

6 (b) The decedent's place of residence at the time of his death;

7 (c) That the gross value of the decedent's property in this state  
8 does not exceed \$5,000;

9 (d) That at least 40 days have elapsed since the death of the  
10 decedent;

11 (e) That no application or petition for the appointment of a  
12 personal representative is pending or has been granted in this state;

13 (f) A description of the personal property of the decedent;

14 (g) Whether there are any heirs or next of kin known to the  
15 affiant, and if known, the name and address of each such person;

16 (h) If heirs or next of kin are known to the affiant, a description  
17 of the method of service he used to provide to each of them notice  
18 of the affidavit and that at least 10 days have elapsed since the  
19 notice was provided;

20 (i) That all debts of the decedent, including funeral and burial  
21 expenses, have been paid or provided for; and

22 (j) The name of each person to whom the affiant intends to  
23 distribute the decedent's property.

24 3. Before filing the affidavit with the court, the public  
25 administrator shall take reasonable steps to ascertain whether any of  
26 the decedent's heirs or next of kin exist. If the administrator  
27 determines that heirs or next of kin exist, he shall serve each of them  
28 with a copy of the affidavit. Service must be made personally or by  
29 certified mail.

30 4. If the affiant:

31 (a) Submits an affidavit which does not meet the requirements  
32 of subsection 2 or which contains statements which are not entirely  
33 true, any money or property he receives or distributes is subject to  
34 all debts of the decedent, based on the priority for payment of debts  
35 and charges specified in NRS 150.220.

36 (b) Fails to give notice to heirs or next of kin as required by  
37 subsection 3, any money or property he holds or distributes to others  
38 shall be deemed to be held in trust for those heirs and next of kin  
39 who did not receive notice and have an interest in the property.

40 5. A person who receives an affidavit containing the  
41 information required by subsection 2 is entitled to rely upon such  
42 information, and if he relies in good faith, he is immune from civil  
43 liability for actions based on that reliance.



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1       6. Upon receiving proof of the death of the decedent, an  
2 affidavit containing the information required by this section and the  
3 written approval of the public administrator to do so:

4       (a) A transfer agent of any security shall change the registered  
5 ownership of the security claimed from the decedent to the person  
6 claiming to succeed to ownership of that security.

7       (b) A governmental agency required to issue certificates of *title*,  
8 ownership or registration to personal property shall issue a new  
9 certificate of *title*, ownership or registration to the person claiming  
10 to succeed to ownership of the property.

11       **Sec. 49.** NRS 706.616 is hereby amended to read as follows:

12       706.616 1. If the ownership of a vehicle subject to the lien  
13 provided for by NRS 706.601 is transferred, whether by operation of  
14 law or otherwise, no certificate of registration or certificate of  
15 ~~{ownership}~~ *title* with respect to such vehicle ~~{shall}~~ *may* be issued  
16 by the Department to the transferee or person otherwise entitled  
17 thereto until the Department has issued a certificate that such lien  
18 has been removed.

19       2. No license issued under chapter 706 of NRS with respect to  
20 a vehicle which becomes subject to the lien provided for by NRS  
21 706.601 ~~{shall}~~ *may* be transferred until the Department has issued a  
22 certificate that ~~{such}~~ *the* lien has been removed.

23       **Sec. 50.** 1. This section and sections 2, 4, 5, 8, 9, 11, 13 to  
24 31, inclusive, and 36 to 49, inclusive, of this act become effective on  
25 July 1, 2003.

26       2. Section 9 of this act expires by limitation on September 30,  
27 2003.

28       3. Sections 1, 3, 6, 7, 10, 12 and 32 to 35, inclusive, of this act  
29 become effective on October 1, 2003.

