

Amendment No. 263

Senate Amendment to Senate Bill No. 234 (BDR 43-33)

Proposed by: Senate Committee on Taxation

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 234 (§ 6).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) *orange double underlining* is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold dashed underlining* is newly added transitory language.

WBD/BJE



Date: 4/20/2009

S.B. No. 234—Makes various changes concerning the short-term leasing of passenger cars. (BDR 43-33)



SENATE BILL NO. 234—COMMITTEE ON TAXATION

MARCH 13, 2009

Referred to Committee on Taxation

SUMMARY—Makes various changes concerning the short-term leasing of passenger cars. (BDR 43-33)

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; revising certain provisions governing the fees charged by a short-term lessor of passenger cars; ~~revising certain provisions concerning the liability of such a lessor for damages caused by the short-term lessee of passenger cars under certain circumstances;~~ increasing the governmental services fee on short-term leases of passenger cars; revising the definition of “uninsured motor vehicle” to include a leased passenger car under certain circumstances; making various changes concerning the disclosure of certain information relating to the short-term lease of a passenger car; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a short-term lessor of passenger cars is required to collect from its
2 customers a governmental services fee of 6 percent and a recovery surcharge fee of 4 percent
3 of the adjusted total cost of leasing the car. The lessor is allowed to retain a portion of the
4 money from the recovery surcharge fee as reimbursement of its costs to license and register its
5 vehicles, and is required to remit the remaining amount of that fee, and the full amount of the
6 6 percent governmental services fee, to the State. (NRS 482.313) **Section 6** of this bill
7 increases the amount of the governmental services fee from 6 to 10 percent and eliminates the
8 4 percent recovery surcharge fee. In place of that fee, **section 8** of this bill authorizes a short-
9 term lessor to impose an additional charge on each lease to allow the lessor to recover the full
10 amount of its vehicle licensing costs. **Section 8** also authorizes a short-term lessor to impose
11 additional charges to recover other costs that the lessor incurs as a condition of doing
12 business, such as concession fees that the lessor must pay to an airport or other facility for the
13 privilege of operating at the facility, and to recover the amount of any fees that the lessor pays
14 on behalf of the short-term lessee. **Section 8** also requires that the short-term lessor must
15 separately identify and clearly disclose the amount of each additional charge in the quotation
16 or other statement of estimated charges for the lease of the car and in the lease agreement.
17 (NRS 482.3158)

18 ~~**Section 4** of this bill provides that if a short-term lessor leases a passenger car to a short-~~
19 ~~term lessee for a specified period, and the lessee returns the car before the end of the period,~~
20 ~~the lessor is not allowed to charge the lessee for the full period, but only for the time that the~~
21 ~~lessee had possession of the passenger car.~~

22 ~~Under existing law, persons injured as a result of the negligence of the short term lessee~~
 23 ~~of a passenger car or of another person driving the car with the lessee's permission are entitled~~
 24 ~~to receive payment from the lessee or other driver for their actual damages up to at least the~~
 25 ~~statutory minimum amount. If an injured person's actual damages exceed the amount of that~~
 26 ~~coverage, he is also entitled to recover up to at least the statutory minimum amounts from the~~
 27 ~~liability coverage that the short term lessor of the passenger car is required to provide as a~~
 28 ~~condition of registering the car. (NRS 482.205, 482.205; *Salas v. Allstate Rent A Car, Inc.*,~~
 29 ~~116 Nev. 1165 (2000); *Hall v. Enter. Leasing Co.*, West, 122 Nev. Adv. Op. 59, 137 P.3d~~
 30 ~~1104, (2006)) Section 5 of this bill provides that the liability coverage or other form of~~
 31 ~~financial responsibility provided by a short term lessor may be used to satisfy a claim for~~
 32 ~~damages caused by the negligence of the short term lessee or his permittee in operating the~~
 33 ~~vehicle only to a certain extent. Section 5 also provides that a short term lessor of a motor~~
 34 ~~vehicle who provides the mandatory insurance or other financial security in the statutory~~
 35 ~~minimum amounts is not liable for any damages caused by the negligence of the short term~~
 36 ~~lessee or his permittee in operating the rented vehicle if: (1) the short term lessee or his~~
 37 ~~permittee has liability coverage up to the statutory minimum amounts; (2) the injured person~~
 38 ~~has uninsured vehicle coverage in amounts up to the statutory minimum amounts; or (3) the~~
 39 ~~short term lessee or his permittee violates a term or condition of the short term lease~~
 40 ~~agreement. (NRS 482.205.) Existing law provides that, with certain exceptions, no policy~~
 41 ~~of motor vehicle liability insurance may be delivered or issued for delivery in this State~~
 42 ~~unless it provides uninsured vehicle coverage to the persons insured under the policy.~~
 43 ~~(NRS 690B.020) Section 9 of this bill amends the definition of "uninsured motor vehicle" to~~
 44 ~~include a leased passenger car for which the short-term lessor has provided liability coverage~~
 45 ~~up to the statutory minimum amounts, but which is operated by a short-term lessee for other~~
 46 ~~driver with his permission, who does not have liability coverage in at least the statutory~~
 47 ~~minimum statutory amounts. (NRS 690B.020.)~~
 48 ~~Section 10 of this bill repeals a provision of existing law that requires a short-term~~
 49 ~~lessor to: (1) advertise, quote and charge a rate for leasing a passenger car that, with~~
 50 ~~certain exceptions, includes the entire amount that a short-term lessee must pay to lease~~
 51 ~~the car; and (2) clearly disclose in the advertisement or quotation the terms of any~~
 52 ~~mileage conditions relating to the advertised or quoted rate. (NRS 482.31575)~~

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

1 **Section 1.** Chapter 482 of NRS is hereby amended by adding thereto the
 2 provisions set forth as sections 2 ~~1~~ and 3 ~~and 4~~ of this act.

3 **Sec. 2.** "***Vehicle licensing costs***" ~~has the meaning ascribed to it in NRS~~
 4 ~~482.313.~~ **means:**

5 1. The fees paid by a short-term lessor for the registration of, and the
 6 issuance of certificates of title for, the passenger cars leased by him, including,
 7 without limitation, fees for license plates and license plate decals, stickers and
 8 tabs, and inspection fees; and

9 2. The basic and supplemental governmental services taxes paid by the
 10 short-term lessor with regard to those passenger cars.

11 **Sec. 3.** 1. A short-term lessor that wishes to impose an additional charge
 12 pursuant to NRS 482.3158 to recover its vehicle licensing costs must, not less
 13 than annually, make good faith estimates of:

- 14 (a) Its vehicle licensing costs for the calendar year; and
 15 (b) The charge that must be imposed in each lease to recover those costs.

16 2. If the amount of money collected by a short-term lessor for the recovery
 17 of its vehicle licensing costs during a calendar year ~~exceeds~~ is different from the
 18 amount of those costs for that year, the short-term lessor shall:

- 19 (a) Retain the ~~excess~~ amount ~~1~~ collected; and

1 (b) ~~[Reduce]~~ Adjust its estimate of its vehicle licensing costs and the charge
2 that must be imposed on each lease to recover those costs for the immediately
3 following calendar year by the amount of the ~~[excess]~~ difference.

4 3. This section does not prevent a short-term lessor from making
5 adjustments in the amount of its charge to recover its vehicle licensing costs
6 during the calendar year.

7 4. A short-term lessor shall annually report to the Department of Taxation:

8 (a) The amount of the short-term lessor's vehicle licensing costs for the
9 immediately preceding calendar year; and

10 (b) The amount of money collected by the short-term lessor for the recovery
11 of its vehicle licensing costs for the immediately preceding calendar year.

12 Sec. 4. ~~[1. Except as otherwise provided in this section, if a short-term~~
13 ~~lessor leases a passenger car to a short-term lessee for a specified period under a~~
14 ~~lease agreement that establishes a rate for leasing the passenger car for the~~
15 ~~period and the lessee returns the passenger car before the end of the period, the~~
16 ~~lessor:~~

17 ~~— (a) May not charge the lessee a fee for returning the passenger car before~~
18 ~~the end of the period specified in the lease;~~

19 ~~— (b) Must charge the lessee only for the days or parts thereof that the lessee~~
20 ~~was in possession of the passenger car; and~~

21 ~~— (c) Unless the lease agreement establishes a lower daily rate, must charge the~~
22 ~~lessee a daily rate for leasing the passenger car that is calculated by dividing the~~
23 ~~rate for the period set forth in the lease agreement by the number of days in that~~
24 ~~period.~~

25 ~~2. This section does not apply to the lease of a passenger car for a period of~~
26 ~~24 hours or less.] (Deleted by amendment.)~~

27 Sec. 5. ~~[NRS 482.305 is hereby amended to read as follows:~~

28 ~~482.305 1. The short-term lessor of a motor vehicle who permits the short-~~
29 ~~term lessee to operate the vehicle upon the highways, and who has not complied~~
30 ~~with NRS 482.295 insuring or otherwise covering the short-term lessee against~~
31 ~~liability arising out of his negligence in the operation of the rented vehicle in limits~~
32 ~~of not less than \$15,000 for any one person injured or killed and \$30,000 for any~~
33 ~~number more than one, injured or killed in any one accident, and against liability of~~
34 ~~the short-term lessee for property damage in the limit of not less than \$10,000 for~~
35 ~~one accident, is jointly and severally liable with the short-term lessee for any~~
36 ~~damages caused by the negligence of the latter in operating the vehicle and for any~~
37 ~~damages caused by the negligence of any person operating the vehicle by or with~~
38 ~~the permission of the short-term lessee, except that the foregoing provisions do not~~
39 ~~confer any right of action upon any passenger in the rented vehicle against the~~
40 ~~short-term lessor. This section does not prevent the introduction as a defense of~~
41 ~~contributory negligence to the extent to which this defense is allowed in other~~
42 ~~cases.~~

43 ~~2. Notwithstanding the provisions of subsection 1, a short-term lessor of a~~
44 ~~motor vehicle who complies with NRS 482.295 is not liable for any damages~~
45 ~~caused by the negligence of the short-term lessee or his permittee in operating the~~
46 ~~rented vehicle if:~~

47 ~~— (a) The short-term lessee or his permittee is insured or otherwise covered by~~
48 ~~a policy of insurance against liability for damages caused by negligence in the~~
49 ~~operation of the vehicle in amounts that are not less than the amounts required~~
50 ~~pursuant to NRS 485.185;~~

51 ~~— (b) A person whose damages are caused by the negligence of the short-term~~
52 ~~lessee or his permittee in operating the vehicle has uninsured vehicle coverage in~~

1 ~~amounts that are not less than the amounts required pursuant to NRS 485.185;~~
2 ~~or~~

3 ~~— (c) The short-term lessee or his permittee violates a term or condition of the~~
4 ~~short-term lease agreement.~~

5 ~~— 3. The policy of insurance, surety bond, or deposit of cash or securities~~
6 ~~finures to the benefit of any person operating the vehicle by or with the permission~~
7 ~~of the short-term lessee in the same manner, under the same conditions and to the~~
8 ~~same extent as to the short-term lessee.~~

9 ~~— 3.] , or other form of financial responsibility provided by a short-term lessor~~
10 ~~as required by subsection 1 may be used to satisfy a claim for damages caused by~~
11 ~~the negligence of the short-term lessee or his permittee in operating the vehicle~~
12 ~~only to the extent that no other insurance policy, surety bond, deposit of cash or~~
13 ~~other securities, or other form of financial responsibility is available to satisfy the~~
14 ~~claim in the amounts required pursuant to NRS 485.185.~~

15 ~~— 4. The insurance policy, surety bond, [or] deposit of cash or securities, or~~
16 ~~other form of financial responsibility provided by a short-term lessor as required~~
17 ~~by subsection 1 need not cover any liability incurred by the short-term lessee of any~~
18 ~~vehicle to any passenger in the vehicle, [;] but the short-term lessor, before~~
19 ~~delivering the vehicle, shall give to the short-term lessee a written notice of the fact~~
20 ~~that such a policy, bond or deposit does not cover the liability which the short-term~~
21 ~~lessee may incur on account of his negligence in the operation of the vehicle to any~~
22 ~~passenger in the vehicle.~~

23 ~~— [4.] 5. When any suit or action is brought against the short-term lessor under~~
24 ~~this section, the judge before whom the case is pending shall hold a preliminary~~
25 ~~hearing in the absence of the jury to determine whether the short-term lessor has~~
26 ~~provided insurance or a surety bond or deposit of cash or securities, or other form~~
27 ~~of financial responsibility covering the short-term lessee as required by subsection~~
28 ~~1. Whenever it appears that the short-term lessor has provided insurance or a surety~~
29 ~~bond or deposit of cash or securities, or other form of financial responsibility~~
30 ~~covering the short-term lessee in the required amount, the judge shall dismiss as to~~
31 ~~the short-term lessor the action brought under this section.~~

32 ~~— 6. This section does not~~

33 ~~— (a) Prevent a short-term lessor from providing in a short-term lease~~
34 ~~agreement that:~~

35 ~~— (1) The short-term lessor must satisfy any claim for damages caused by~~
36 ~~the negligence of the short-term lessee or his permittee in operating the vehicle~~
37 ~~up to the extent of any insurance policy, surety bond, deposit of cash or other~~
38 ~~securities, or other form of financial responsibility provided by the short-term~~
39 ~~lessee; and~~

40 ~~— (2) Any insurance policy, surety bond, deposit of cash or other securities,~~
41 ~~or other form of financial responsibility provided by the short-term lessee is~~
42 ~~primary.~~

43 ~~— (b) Affect the right of a short-term lessor to make a claim against a short-~~
44 ~~term lessee or his permittee for indemnity or contribution.~~

45 ~~— (c) Oblige a short-term lessor to provide a defense in any action brought~~
46 ~~against a short-term lessee or his permittee for damages caused by negligence in~~
47 ~~the operation of the rented vehicle.~~

48 ~~— 7. As used in this section:~~

49 ~~— (a) "Permittee" means a person who operates a leased vehicle by or with the~~
50 ~~permission of the short-term lessee of the vehicle.~~

51 ~~— (b) "Uninsured vehicle coverage" has the meaning ascribed to it NRS~~
52 ~~690B.020.] (Deleted by amendment.)~~

1 **Sec. 6.** NRS 482.313 is hereby amended to read as follows:

2 482.313 1. Upon the lease of a passenger car by a short-term lessor in this
3 State, the short-term lessor shall charge and collect from the short-term lessee:

4 (a) A governmental services fee of ~~{6}~~ **10** percent of the total amount for which
5 the passenger car was leased, excluding the items described in subsection 7; *and*

6 (b) Any fee required pursuant to NRS 244A.810 or 244A.860. ~~{; and~~

7 ~~(c) A recovery surcharge fee of 4 percent of the total amount for which the
8 passenger car was leased, excluding the items described in subsection 8, as
9 reimbursement for vehicle licensing fees and taxes paid by the short-term lessor.~~

10 ➤ The amount of each fee charged pursuant to this subsection must be indicated in
11 the lease agreement.

12 2. The fees due from a short-term lessor to the Department of Taxation
13 pursuant to subsection 1 are due on the last day of each calendar quarter. On or
14 before the last day of the month following each calendar quarter, the short-term
15 lessor shall:

16 (a) File with the Department of Taxation, on a form prescribed by the
17 Department of Taxation, a report indicating the total amount of ~~{;}~~

18 ~~(1) Each~~ *each* of the fees collected by the short-term lessor pursuant to
19 subsection 1 during the immediately preceding calendar quarter; and

20 ~~{(2) Vehicle licensing} {fees and taxes} {costs paid by the short-term lessor
21 pursuant to this chapter during the immediately preceding calendar quarter.}~~

22 (b) Remit to the Department of Taxation ~~{;~~

23 ~~(1) The~~ *the* fees collected by the short-term lessor pursuant to ~~{paragraphs~~
24 ~~(a) and (b) of}~~ subsection 1 during the immediately preceding calendar quarter. ~~{;~~
25 *and*

26 ~~(2) One-quarter of the fees collected by the short-term lessor pursuant to~~
27 ~~paragraph (c) of subsection 1 during the immediately preceding calendar quarter.}~~

28 3. Except as otherwise provided in a contract made pursuant to NRS
29 244A.820 or 244A.870, the Department of Taxation shall deposit ~~{all}~~ :

30 (a) *All* money received from short-term lessors pursuant to the provisions of ~~{;~~

31 ~~(a) Subparagraph (1) of}~~ paragraph (b) of subsection ~~{2}~~ **1** with the State
32 Treasurer for credit to the State General Fund; ~~{and}~~

33 (b) ~~{Subparagraph (2) of}~~ *Nine-tenths of the money received from short-term*
34 *lessors pursuant to the terms of paragraph (a) of subsection 1 with the State*
35 *Treasurer for credit to the State General Fund; and*

36 (c) *One-tenth of the money received from short-term lessors pursuant to the*
37 *terms of* paragraph ~~{(b)}~~ **(a)** of subsection ~~{2}~~ **1** with the State Treasurer for credit to
38 the State Highway Fund for administration pursuant to subsection 8 of NRS
39 408.235.

40 4. To ensure compliance with this section, the Department of Taxation may
41 audit the records of a short-term lessor.

42 5. The provisions of this section do not limit or affect the payment of any
43 taxes or fees imposed pursuant to the provisions of this chapter.

44 6. The Department of Motor Vehicles shall, upon request, provide to the
45 Department of Taxation any information in its records relating to a short-term
46 lessor that the Department of Taxation considers necessary to collect the fees
47 described in subsection 1.

48 7. For the purposes of charging and collecting the governmental services fee
49 described in paragraph (a) of subsection 1, the following items must not be included
50 in the total amount for which the passenger car was leased:

51 (a) The amount of ~~{the fees}~~ *any fee* charged and collected pursuant to
52 ~~{paragraphs (b) and (c)}~~ *paragraph (b)* of subsection 1;

53 (b) The amount of any charge for fuel used to operate the passenger car;

1 (c) The amount of any fee or charge for the delivery, transportation or other
2 handling of the passenger car;

3 (d) The amount of any fee or charge for insurance, including, without
4 limitation, personal accident insurance, extended coverage or insurance coverage
5 for personal property; and

6 (e) The amount of any charges assessed against a short-term lessee for
7 damages for which the short-term lessee is held responsible.

8 8. ~~For the purposes of charging and collecting the recovery surcharge fee
9 described in paragraph (e) of subsection 1, the following items must not be included
10 in the total amount for which the passenger car was leased:~~

11 ~~—(a) The amount of the fees charged and collected pursuant to paragraphs (a)
12 and (b) of subsection 1;~~

13 ~~—(b) The amount of any charge for a collision damage waiver or a similar
14 instrument that acts as a waiver of the short-term lessor's right to collect from the
15 short-term lessee for any damage to the passenger car;~~

16 ~~—(c) The amount of any charge for fuel used to operate the passenger car;~~

17 ~~—(d) The amount of any fee or charge for the delivery, transportation or other
18 handling of the passenger car;~~

19 ~~—(e) The amount of any fee or charge for insurance, including, without
20 limitation, personal accident insurance, extended coverage or insurance coverage
21 for personal property;~~

22 ~~—(f) The amount of any charges assessed against a short-term lessee for damages
23 for which the short-term lessee is held responsible; and~~

24 ~~—(g) The amount of any concession fee or charge that the short-term lessor:~~

25 ~~—(1) Is required to pay to do business at an airport, if applicable; and~~

26 ~~—(2) Passes on to the short-term lessee of the passenger car.~~

27 ~~9.] The Executive Director of the Department of Taxation shall:~~

28 (a) Adopt such regulations as he determines are necessary to carry out the
29 provisions of this section; and

30 (b) Upon the request of the Director of the Department of Motor Vehicles,
31 provide to the Director of the Department of Motor Vehicles a copy of any record
32 or report described in this section.

33 ~~[10.] 10. As used in this section, "vehicle licensing" [fees and taxes]" [costs]"~~
34 ~~means:~~

35 ~~—(a) The fees paid by a short-term lessor for the registration of, and the issuance
36 of certificates of title for, the passenger cars leased by him] [;] [; including, without
37 limitation, fees for license plates and license plate decals, stickers and tabs, and
38 inspection fees; and~~

39 ~~—(b) The basic and supplemental governmental services taxes paid by the short-
40 term lessor with regard to those passenger cars.]~~

41 **Sec. 7.** NRS 482.3151 is hereby amended to read as follows:

42 482.3151 As used in NRS 482.3151 to 482.3159, inclusive, ~~and sections 2, 3~~
43 ~~and 3 [and 4] of this act~~, unless the context otherwise requires, the words and
44 terms defined in NRS 482.31515 to 482.3153, inclusive, ~~and section 2 of this act~~
45 have the meanings ascribed to them in those sections.

46 **Sec. 8.** NRS 482.3158 is hereby amended to read as follows:

47 482.3158 1. The short-term lessor of a passenger car may impose an
48 additional charge:

49 (a) Based on reasonable age criteria established by the lessor.

50 (b) For any item or a service provided if the short-term lessee could have
51 avoided incurring the charge by choosing not to obtain or utilize the optional item
52 or service.

53 (c) For insurance and accessories requested by the lessee.

1 (d) For service incident to the lessee's optional return of the *passenger* car to a
2 location other than the location where the *passenger* car was leased.

3 (e) For refueling the *passenger* car at the conclusion of the lease if the lessee
4 did not return the *passenger* car with as much fuel as was in the fuel tank at the
5 beginning of the lease.

6 (f) For any authorized driver in addition to the short-term lessee but shall not,
7 except as otherwise provided in this paragraph, charge more than \$10 per full or
8 partial 24-hour period for such an additional authorized driver. The monetary
9 amount set forth in this paragraph must be adjusted for each fiscal year that begins
10 on or after July 1, 2008, by adding to that amount the product of that amount
11 multiplied by the percentage increase in the Consumer Price Index West Urban
12 for All Urban Consumers (All Items) between the calendar year ending on
13 December 31, 2005, and the calendar year immediately preceding the fiscal year for
14 which the adjustment is made. The Department shall, on or before March 1 of each
15 year, publish the adjusted amount for the next fiscal year on its website or
16 otherwise make that information available to short-term lessors.

17 (g) *To recover costs incurred by the short-term lessor as a condition of doing*
18 *business, including, without limitation:*

19 (1) *The short-term lessor's vehicle licensing costs; and*

20 (2) *Concession, access and other fees imposed on the short-term lessor by*
21 *an airport or other facility for the privilege of operating at the facility.*

22 (h) *To recover any fees paid by the short-term lessor on behalf of the short-*
23 *term lessee, including, without limitation, a customer facility charge imposed on*
24 *the short-term lessee by an airport or other facility for the privilege of using the*
25 *facility.*

26 2. *The short-term lessor of a passenger car that wishes to impose an*
27 *additional charge pursuant to this section must separately identify and clearly*
28 *disclose the amount of the charge in the quotation or other statement of estimated*
29 *charges for the lease of the passenger car and in the lease agreement. The short-*
30 *term lessor shall not collect from a short-term lessee the amount of any*
31 *additional charge that the lessor has failed to identify and disclose as required*
32 *pursuant to this section.*

33 3. A short-term lessor shall not charge a short-term lessee, as a condition of
34 leasing a passenger car, an additional fee for:

35 (a) Any surcharges required for fuel.

36 (b) Transporting the lessee to the location where the *passenger* car will be
37 delivered to the lessee.

38 ~~3.~~ 4. If a short-term lessor:

39 (a) Delivers a passenger car to a short-term lessee at a location other than the
40 location where the lessor normally carries on its business, the lessor shall not
41 charge the lessee any amount for the period before the delivery of the *passenger*
42 car.

43 (b) Takes possession of a passenger car from a short-term lessee at a location
44 other than the location where the lessor normally carries on its business, the lessor
45 shall not charge the lessee any amount for the period after the lessee notifies the
46 lessor to take possession of the *passenger* car.

47 **Sec. 9.** NRS 690B.020 is hereby amended to read as follows:

48 690B.020 1. Except as otherwise provided in this section and NRS
49 690B.035, no policy insuring against liability arising out of the ownership,
50 maintenance or use of any motor vehicle may be delivered or issued for delivery in
51 this State unless coverage is provided therein or supplemental thereto for the
52 protection of persons insured thereunder who are legally entitled to recover
53 damages, from owners or operators of uninsured or hit-and-run motor vehicles, for

1 bodily injury, sickness or disease, including death, resulting from the ownership,
2 maintenance or use of the uninsured or hit-and-run motor vehicle. No such
3 coverage is required in or supplemental to a policy issued to the State of Nevada or
4 any political subdivision thereof, or where rejected in writing, on a form furnished
5 by the insurer describing the coverage being rejected, by an insured named therein,
6 or upon any renewal of such a policy unless the coverage is then requested in
7 writing by the named insured. The coverage required in this section may be referred
8 to as “uninsured vehicle coverage.”

9 2. The amount of coverage to be provided must be not less than the minimum
10 limits for liability insurance for bodily injury provided for under chapter 485 of
11 NRS, but may be in an amount not to exceed the coverage for bodily injury
12 purchased by the policyholder.

13 3. For the purposes of this section, the term “uninsured motor vehicle” means
14 a motor vehicle:

15 (a) With respect to which there is not available at the Department of Motor
16 Vehicles evidence of financial responsibility as required by chapter 485 of NRS;

17 (b) With respect to the ownership, maintenance or use of which there is no
18 liability insurance for bodily injury or bond applicable at the time of the accident ~~or~~
19 or, to the extent of such deficiency, any liability insurance for bodily injury or bond
20 in force is less than the amount required by NRS 485.210;

21 (c) With respect to the ownership, maintenance or use of which the company
22 writing any applicable liability insurance for bodily injury or bond denies coverage
23 or is insolvent;

24 (d) Used without the permission of its owner if there is no liability insurance
25 for bodily injury or bond applicable to the operator;

26 (e) Used with the permission of its owner who has insurance which does not
27 provide coverage for the operation of the motor vehicle by any person other than
28 the owner if there is no liability insurance for bodily injury or bond applicable to
29 the operator; ~~or~~

30 (f) The owner or operator of which is unknown or after reasonable diligence
31 cannot be found if:

32 (1) The bodily injury or death has resulted from physical contact of the
33 automobile with the named insured or the person claiming under him or with an
34 automobile which the named insured or such a person is occupying; and

35 (2) The named insured or someone on his behalf has reported the accident
36 within the time required by NRS 484.223, 484.225 or 484.227 to the police
37 department of the city where it occurred ~~or~~ or, if it occurred in an unincorporated
38 area, to the sheriff of the county or to the Nevada Highway Patrol ~~or~~ ; *or*

39 (g) *Used by a short-term lessee ~~for a person by or with his permission~~ if:*

40 (1) *The short-term lessor has satisfied the requirements of NRS 482.295*
41 *and subsection 1 of 482.305; and*

42 (2) *The short-term lessee ~~for his permittee~~ is not insured or otherwise*
43 *covered by a policy of insurance against liability for damages caused by*
44 *negligence in the operation of the vehicle in amounts that are not less than the*
45 *amounts required pursuant to NRS 485.185.*

46 4. For the purposes of this section, the term “uninsured motor vehicle” also
47 includes, subject to the terms and conditions of coverage, an insured other motor
48 vehicle where:

49 (a) The liability insurer of the other motor vehicle is unable because of its
50 insolvency to make payment with respect to the legal liability of its insured within
51 the limits specified in its policy;

52 (b) The occurrence out of which legal liability arose took place while the
53 uninsured vehicle coverage required under paragraph (a) was in effect; and

1 (c) The insolvency of the liability insurer of the other motor vehicle existed at
2 the time of, or within 2 years after, the occurrence.

3 **↳** Nothing contained in this subsection prevents any insurer from providing
4 protection from insolvency to its insureds under more favorable terms.

5 5. If payment is made to any person under uninsured vehicle coverage, and
6 subject to the terms of the coverage, to the extent of such payment the insurer is
7 entitled to the proceeds of any settlement or recovery from any person legally
8 responsible for the bodily injury as to which payment was made, and to amounts
9 recoverable from the assets of the insolvent insurer of the other motor vehicle.

10 6. A vehicle involved in a collision which results in bodily injury or death
11 shall be presumed to be an uninsured motor vehicle if no evidence of financial
12 responsibility is supplied to the Department of Motor Vehicles in the manner
13 required by chapter 485 of NRS within 60 days after the collision occurs.

14 *Sec. 10. **NRS 482.31575 is hereby repealed.***

TEXT OF REPEALED SECTION

482.31575 Advertisement of lease: Disclosure of certain information required.

1. A short-term lessor shall advertise, quote and charge a rate for leasing a passenger car that includes the entire amount except the taxes, any fees paid to airports and any charges for mileage, that a short-term lessee must pay to lease the car for the period to which the rate applies.

2. If a short-term lessor states a rate for lease of a passenger car in a printed advertisement or in a quotation transmitted by computer or telephone or in person, the lessor shall clearly disclose in the advertisement or quotation the terms of any mileage conditions relating to the advertised or quoted rate, including, but not limited to, the amount of mileage and gas charges, the number of miles for which no charges will be imposed and a description of geographic driving limitations.