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ASSEMBLY BILL NO. 448—ASSEMBLYMEN  
ANGLE AND CHRISTENSEN

MARCH 25, 2005

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JOINT SPONSOR: SENATOR BEERS

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Referred to Committee on Ways and Means

SUMMARY—Repeals governmental services taxes. (BDR 32-488)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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

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AN ACT relating to taxation; repealing, in skeleton form, the basic governmental services tax and the supplemental governmental services tax; 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.** NRS 360.001 is hereby amended to read as follows:  
2     360.001 As used in this title, except as otherwise provided in  
3 chapters ~~[364,]~~ **360A**, 365, 366 ~~[, 371]~~ and 373 of NRS and unless  
4 the context requires otherwise:  
5     1. “Department” means the Department of Taxation.  
6     2. “Executive Director” means the Executive Director of the  
7 Department . ~~[of Taxation.]~~  
8     **Sec. 2.** NRS 361.030 is hereby amended to read as follows:  
9     361.030 1. “Personal property” means:  
10    (a) All household and kitchen furniture.  
11    (b) All law, medical and miscellaneous libraries.  
12    (c) All goods, wares and merchandise.  
13    (d) All chattels of every kind and description, except vehicles  
14 ~~[as defined in NRS 371.020.]~~ ***required to be registered pursuant to***  
15 ***the provisions of chapter 482 or 706 of NRS.***



1 (e) Stocks of goods on hand.

2 (f) Any vehicle *that is* not ~~included in the definition of vehicle~~  
3 ~~in NRS 371.020.] required to be registered pursuant to the~~  
4 ~~provisions of chapter 482 or 706 of NRS and any mobile home as~~  
5 ~~defined in NRS 482.067.~~

6 (g) All locomotives, cars, rolling stock and other personal  
7 property used in operating any railroad within the State.

8 (h) All machines and machinery, all works and improvements,  
9 all steamers, vessels and watercraft of every kind and name  
10 navigating or used upon the waters of any river or lake within this  
11 State or having a general depot or terminus within this State.

12 (i) The money, property and effects of every kind, except real  
13 estate, of all banks, banking institutions or firms, bankers,  
14 moneylenders and brokers.

15 (j) All property of whatever kind or nature, except vehicles ~~as~~  
16 ~~defined in NRS 371.020.] required to be registered pursuant to the~~  
17 ~~provisions of chapter 482 or 706 of NRS,~~ not included in the term  
18 "real estate" as that term is defined in NRS 361.035.

19 2. Gold-bearing and silver-bearing ores, quartz or minerals  
20 from which gold or silver is extracted, when in the hands of the  
21 producers thereof, shall not mean, not be taken to mean, nor be  
22 listed and assessed under the term "personal property" as used in  
23 this section, but are specially excepted therefrom, and shall be listed,  
24 assessed and taxed as provided by law.

25 **Sec. 3.** NRS 361.067 is hereby amended to read as follows:

26 361.067 The following vehicles are exempt from taxation  
27 under the provisions of this chapter:

28 1. All vehicles ~~[, as defined in NRS 371.020.] required to be~~  
29 ~~registered pursuant to the provisions of chapter 482 or 706 of~~  
30 ~~NRS,~~ except mobile homes which constitute "real estate" or "real  
31 property."

32 2. Commercial helicopters meeting the requirements of the  
33 program established pursuant to NRS 495.320.

34 **Sec. 4.** NRS 361.320 is hereby amended to read as follows:

35 361.320 1. At the regular session of the Nevada Tax  
36 Commission commencing on the first Monday in October of each  
37 year, the Nevada Tax Commission shall examine the reports filed  
38 pursuant to NRS 361.318 and establish the valuation for assessment  
39 purposes of any property of an interstate or intercounty nature used  
40 directly in the operation of all interstate or intercounty railroad,  
41 sleeping car, private car, natural gas transmission and distribution,  
42 water, telephone, scheduled and unscheduled air transport, electric  
43 light and power companies, and the property of all railway express  
44 companies operating on any common or contract carrier in this  
45 State. This valuation must not include the value of vehicles ~~as~~



1 ~~defined in NRS 371.020.]~~ *required to be registered pursuant to the*  
2 *provisions of chapter 482 or 706 of NRS.*

3 2. Except as otherwise provided in subsections 3, 4 and 7 and  
4 NRS 361.323, the Nevada Tax Commission shall establish and fix  
5 the valuation of all physical property used directly in the operation  
6 of any such business of any such company in this State, as a  
7 collective unit. If the company is operating in more than one county,  
8 on establishing the unit valuation for the collective property, the  
9 Nevada Tax Commission shall then determine the total aggregate  
10 mileage operated within the State and within its several counties and  
11 apportion the mileage upon a mile-unit valuation basis. The number  
12 of miles apportioned to any county are subject to assessment in that  
13 county according to the mile-unit valuation established by the  
14 Nevada Tax Commission.

15 3. After establishing the valuation, as a collective unit, of a  
16 public utility which generates, transmits or distributes electricity, the  
17 Nevada Tax Commission shall segregate the value of any project in  
18 this State for the generation of electricity which is not yet put to use.  
19 This value must be assessed in the county where the project is  
20 located and must be taxed at the same rate as other property.

21 4. After establishing the valuation, as a collective unit, of an  
22 electric light and power company that places a facility into operation  
23 on or after July 1, 2003, in a county whose population is less than  
24 100,000, the Nevada Tax Commission shall segregate the value of  
25 the facility from the collective unit. This value must be assessed in  
26 the county where the facility is located and taxed at the same rate as  
27 other property.

28 5. The Nevada Tax Commission shall adopt formulas and  
29 incorporate them in its records, providing the method or methods  
30 pursued in fixing and establishing the taxable value of all property  
31 assessed by it. The formulas must be adopted and may be changed  
32 from time to time upon its own motion or when made necessary by  
33 judicial decisions, but the formulas must in any event show all the  
34 elements of value considered by the Nevada Tax Commission in  
35 arriving at and fixing the value for any class of property assessed by  
36 it. These formulas must take into account, as indicators of value, the  
37 company's income and the cost of its assets, but the taxable value  
38 may not exceed the cost of replacement as appropriately  
39 depreciated.

40 6. If two or more persons perform separate functions that  
41 collectively are needed to deliver electric service to the final  
42 customer and the property used in performing the functions would  
43 be centrally assessed if owned by one person, the Nevada Tax  
44 Commission shall establish its valuation and apportion the valuation  
45 among the several counties in the same manner as the valuation of



1 other centrally assessed property. The Nevada Tax Commission  
2 shall determine the proportion of the tax levied upon the property by  
3 each county according to the valuation of the contribution of each  
4 person to the aggregate valuation of the property. This subsection  
5 does not apply to a qualifying facility, as defined in 18 C.F.R. §  
6 292.101, which was constructed before July 1, 1997, or to an  
7 exempt wholesale generator, as defined in 15 U.S.C. § 79z-5a.

8 7. A company engaged in a business described in subsection 1  
9 that does not have property of an interstate or intercounty nature  
10 must be assessed as provided in subsection 8.

11 8. All other property, including, without limitation, that of any  
12 company engaged in providing commercial mobile radio service,  
13 radio or television transmission services or cable television services,  
14 must be assessed by the county assessors, except as otherwise  
15 provided in NRS 361.321 and 362.100 and except that the valuation  
16 of land and mobile homes must be established for assessment  
17 purposes by the Nevada Tax Commission as provided in  
18 NRS 361.325.

19 9. On or before November 1 of each year, the Department shall  
20 forward a tax statement to each private car line company based on  
21 the valuation established pursuant to this section and in accordance  
22 with the tax levies of the several districts in each county. The  
23 company shall remit the ad valorem taxes due on or before  
24 December 15 to the Department which shall allocate the taxes due  
25 each county on a mile-unit basis and remit the taxes to the counties  
26 ~~no~~ not later than January 31. The portion of the taxes which is due  
27 the State must be transmitted directly to the State Treasurer. A  
28 company which fails to pay the tax within the time required shall  
29 pay a penalty of 10 percent of the tax due or \$5,000, whichever is  
30 greater, in addition to the tax. Any amount paid as a penalty must be  
31 deposited in the State General Fund. The Department may, for good  
32 cause shown, waive the payment of a penalty pursuant to this  
33 subsection. As an alternative to any other method of recovering  
34 delinquent taxes provided by this chapter, the Attorney General may  
35 bring a civil action in a court of competent jurisdiction to recover  
36 delinquent taxes due pursuant to this subsection in the manner  
37 provided in NRS 361.560.

38 10. As used in this section:

39 (a) "Company" means any person, company, corporation or  
40 association engaged in the business described.

41 (b) "Commercial mobile radio service" has the meaning  
42 ascribed to it in 47 C.F.R. § 20.3, as that section existed on  
43 January 1, 1998.



1       **Sec. 5.** NRS 361.561 is hereby amended to read as follows:

2       361.561 1. A dwelling unit identified as “chassis-mount  
3 camper,” “mini motor home,” “motor home,” “recreational park  
4 trailer,” “travel trailer,” “utility trailer” and “van conversion ” [“] in  
5 chapter 482 of NRS and any other vehicle required to be registered  
6 with the Department of Motor Vehicles are subject to the personal  
7 property tax . ~~[unless registered and taxed pursuant to chapter 371 of~~  
8 ~~NRS.]~~ Such unregistered units and vehicles must be taxed in the  
9 manner provided in NRS 361.561 to 361.5644, inclusive.

10       2. As used in this section, “dwelling unit” means a vehicle that  
11 is primarily used as living quarters, but has not been converted to  
12 real property pursuant to NRS 361.244, and is located in a  
13 manufactured home park, as defined in NRS 118B.017, or on other  
14 land within the county, but not in a recreational vehicle park, as  
15 defined in NRS 108.2678, that is licensed for parking vehicles for a  
16 duration of less than 9 months per year.

17       **Sec. 6.** NRS 374.112 is hereby amended to read as follows:

18       374.112 1. For the purposes of this section, “authorized  
19 appraisal” means an appraisal of the value of a motor vehicle made  
20 by:

21       (a) An employee of the Department of Motor Vehicles on its  
22 behalf;

23       (b) A county assessor or his employee as an agent of the  
24 Department of Motor Vehicles;

25       (c) A person licensed by the Department of Motor Vehicles as a  
26 dealer; or

27       (d) An independent appraiser authorized by the Department of  
28 Motor Vehicles.

29       2. When computing the tax on the sale of a vehicle by a seller  
30 who is not required to be registered by the Department of Taxation,  
31 the Department of Motor Vehicles or the county assessor as an agent  
32 of the Department of Taxation shall, if an authorized appraisal is  
33 submitted, use as the vehicle’s sales price the amount stated on the  
34 authorized appraisal or \$100, whichever is greater.

35       3. The Department of Motor Vehicles shall establish by  
36 regulation the procedure for appraising vehicles and establish and  
37 make available a form for an authorized appraisal.

38       4. The Department of Motor Vehicles shall retain a copy of the  
39 appraisal considered pursuant to subsection 2 with its record of the  
40 collection of the tax.

41       5. A fee which does not exceed \$10 may be charged and  
42 collected for each authorized appraisal made. Any money so  
43 collected by the Department of Motor Vehicles for such an appraisal  
44 made by its employees must be deposited with the State Treasurer to  
45 the credit of the Motor Vehicle Fund. Any money so collected by a



1 county assessor must be deposited with the county treasurer to the  
2 credit of the county's general fund.

3 6. If an authorized appraisal is not submitted, the Department  
4 of Motor Vehicles or the county assessor as an agent of the  
5 Department of Taxation shall establish the sales price as a value  
6 which is based on the depreciated value of the vehicle as determined  
7 in accordance with the schedule in NRS 374.113. To determine the  
8 original price from which the depreciation is calculated, the  
9 Department of Motor Vehicles shall use:

10 (a) The manufacturer's suggested retail price in Nevada,  
11 excluding options and extras, as of the time the particular make and  
12 year model is first offered for sale in Nevada;

13 (b) If the vehicle is specially constructed, the original retail price  
14 to the original purchaser of the vehicle as evidenced by such  
15 document or documents as the Department *of Motor Vehicles* may  
16 require; *or*

17 (c) ~~[The procedures set forth in subsections 3 and 4 of NRS~~  
18 ~~371.050; or~~

19 ~~—(d)]~~ If none of these applies, its own estimate from any available  
20 information.

21 **Sec. 7.** NRS 244A.256 is hereby amended to read as follows:

22 244A.256 1. A county may pledge any money received from  
23 the proceeds of taxes imposed pursuant to paragraph (a)  
24 of subsection 1 of NRS 244.3351 or paragraph (a) of subsection 1 of  
25 NRS 278.710 ~~[or pursuant to NRS 371.045]~~ or, with the consent  
26 of the regional transportation commission, received from the  
27 proceeds of the tax imposed pursuant to NRS 377A.020, or any  
28 combination of money from those sources with revenue derived  
29 from the project financed with the proceeds of the obligations for  
30 whose payment those taxes are pledged, including any existing or  
31 future extensions or enlargements thereof, for the payment of  
32 general or special obligations issued for projects described in  
33 paragraph (a) of subsection 2 of NRS 244.33512, if the project for  
34 which the securities are issued could be directly funded with the  
35 taxes whose proceeds are pledged for the payment of the securities.

36 2. A county may pledge any money received from the proceeds  
37 of taxes imposed pursuant to paragraph (b) of subsection 1 of NRS  
38 244.3351 or paragraph (b) of subsection 1 of NRS 278.710, or any  
39 combination of money from those taxes with revenue derived from  
40 the project financed with the proceeds of the obligations for whose  
41 payment those taxes are pledged, including any existing or future  
42 extensions or enlargements thereof, for the payment of general or  
43 special obligations issued for projects described in subsection 1 of  
44 NRS 244.33514, if the project for which the securities are issued



1 could be directly funded with the taxes whose proceeds are pledged  
2 for the payment of the securities.

3 3. Any money pledged by the county pursuant to subsection 1  
4 or 2 may be treated as pledged revenues of the project for the  
5 purposes of subsection 3 of NRS 350.020.

6 **Sec. 8.** NRS 338.1389 is hereby amended to read as follows:

7 338.1389 1. Except as otherwise provided in subsection 10  
8 and NRS 338.1385, 338.1386 and 338.13864, a public body or its  
9 authorized representative shall award a contract for a public work  
10 for which the estimated cost exceeds \$250,000 to the contractor who  
11 submits the best bid.

12 2. Except as otherwise provided in subsection 10 or limited by  
13 subsection 11, the lowest bid that is:

14 (a) Submitted by a responsive and responsible contractor who:

15 (1) Has been determined by the public body to be a qualified  
16 bidder pursuant to NRS 338.1379 or 338.1382; and

17 (2) At the time he submits his bid, has a valid certificate of  
18 eligibility to receive a preference in bidding on public works issued  
19 to the contractor by the State Contractors' Board pursuant to  
20 subsection 3 or 4; and

21 (b) Not more than 5 percent higher than the bid submitted by the  
22 lowest responsive and responsible bidder who does not have, at the  
23 time he submits his bid, a valid certificate of eligibility to receive a  
24 preference in bidding on public works issued to him by the State  
25 Contractors' Board pursuant to subsection 3 or 4,

26 ↪ shall be deemed to be the best bid for the purposes of this section.

27 3. The State Contractors' Board shall issue a certificate of  
28 eligibility to receive a preference in bidding on public works to a  
29 general contractor who is licensed pursuant to the provisions of  
30 chapter 624 of NRS and submits to the Board an affidavit from a  
31 certified public accountant setting forth that the general contractor  
32 has, while licensed as a general contractor in this State:

33 (a) Paid directly, on his own behalf ~~£~~

34 ~~— (1) The~~ *the* sales and use taxes imposed pursuant to  
35 chapters 372, 374 and 377 of NRS on materials used for  
36 construction in this State, including, without limitation, construction  
37 that is undertaken or carried out on land within the boundaries of  
38 this State that is managed by the Federal Government or is on an  
39 Indian reservation or Indian colony, of not less than \$5,000 for each  
40 consecutive 12-month period for 60 months immediately preceding  
41 the submission of the affidavit from the certified public accountant;

42 ~~[(2) The governmental services tax imposed pursuant to~~  
43 ~~chapter 371 of NRS on the vehicles used in the operation of his~~  
44 ~~business in this State of not less than \$5,000 for each consecutive~~





1 ~~12-month period for 60 months immediately preceding the~~  
2 ~~submission of the affidavit from the certified public accountant; or~~  
3 ~~— (3) Any combination of such sales and use taxes and~~  
4 ~~governmental services tax;] or~~

5 (b) Acquired, by purchase, inheritance, gift or transfer through a  
6 stock option plan, all the assets and liabilities of a viable, operating  
7 construction firm that possesses a:

8 (1) License as a general contractor pursuant to the provisions  
9 of chapter 624 of NRS; and

10 (2) Certificate of eligibility to receive a preference in bidding  
11 on public works.

12 4. The State Contractors' Board shall issue a certificate of  
13 eligibility to receive a preference in bidding on public works to a  
14 specialty contractor who is licensed pursuant to the provisions of  
15 chapter 624 of NRS and submits to the Board an affidavit from a  
16 certified public accountant setting forth that the specialty contractor  
17 has, while licensed as a specialty contractor in this State:

18 (a) Paid directly, on his own behalf ~~[-~~

19 ~~— (1) The] , the~~ sales and use taxes pursuant to chapters 372,  
20 374 and 377 of NRS on materials used for construction in this State,  
21 including, without limitation, construction that is undertaken or  
22 carried out on land within the boundaries of this State that is  
23 managed by the Federal Government or is on an Indian reservation  
24 or Indian colony, of not less than \$5,000 for each consecutive  
25 12-month period for 60 months immediately preceding the  
26 submission of the affidavit from the certified public accountant;

27 ~~[(2) The governmental services tax imposed pursuant to~~  
28 ~~chapter 371 of NRS on the vehicles used in the operation of his~~  
29 ~~business in this State of not less than \$5,000 for each consecutive~~  
30 ~~12-month period for 60 months immediately preceding the~~  
31 ~~submission of the affidavit from the certified public accountant; or~~

32 ~~— (3) Any combination of such sales and use taxes and~~  
33 ~~governmental services tax;] or~~

34 (b) Acquired, by purchase, inheritance, gift or transfer through a  
35 stock option plan, all the assets and liabilities of a viable, operating  
36 construction firm that possesses a:

37 (1) License as a specialty contractor pursuant to the  
38 provisions of chapter 624 of NRS; and

39 (2) Certificate of eligibility to receive a preference in bidding  
40 on public works.

41 5. For the purposes of complying with the requirements set  
42 forth in paragraph (a) of subsection 3 and paragraph (a) of  
43 subsection 4, a contractor shall be deemed to have paid ~~[-~~

44 ~~— (a) Sales] sales~~ and use taxes ~~[and governmental services taxes]~~  
45 that were paid in this State by ~~[an]~~ :





1 (a) An affiliate or parent company of the contractor, if the  
2 affiliate or parent company is also a general contractor or specialty  
3 contractor, as applicable; and

4 (b) ~~[Sales and use taxes that were paid in this State by a]~~ A joint  
5 venture in which the contractor is a participant, in proportion to the  
6 amount of interest the contractor has in the joint venture.

7 6. A contractor who has received a certificate of eligibility to  
8 receive a preference in bidding on public works from the State  
9 Contractors' Board pursuant to subsection 3 or 4 shall, at the time  
10 for the annual renewal of his contractor's license pursuant to NRS  
11 624.283, submit to the Board an affidavit from a certified public  
12 accountant setting forth that the contractor has, during the  
13 immediately preceding 12 months, paid the taxes required pursuant  
14 to paragraph (a) of subsection 3 or paragraph (a) of subsection 4, as  
15 applicable, to maintain his eligibility to hold such a certificate.

16 7. A contractor who fails to submit an affidavit to the Board  
17 pursuant to subsection 6 ceases to be eligible to receive a preference  
18 in bidding on public works unless he reapplies for and receives a  
19 certificate of eligibility pursuant to subsection 3 or 4, as applicable.

20 8. If a contractor holds more than one contractor's license, he  
21 must submit a separate application for each license pursuant to  
22 which he wishes to qualify for a preference in bidding. Upon  
23 issuance, the certificate of eligibility to receive a preference in  
24 bidding on public works becomes part of the contractor's license for  
25 which the contractor submitted the application.

26 9. If a contractor who applies to the State Contractors' Board  
27 for a certificate of eligibility to receive a preference in bidding on  
28 public works submits false information to the Board regarding the  
29 required payment of taxes, the contractor is not eligible to receive a  
30 preference in bidding on public works for a period of 5 years after  
31 the date on which the Board becomes aware of the submission of the  
32 false information.

33 10. If any federal statute or regulation precludes the granting of  
34 federal assistance or reduces the amount of that assistance for a  
35 particular public work because of the provisions of subsection 2,  
36 those provisions do not apply insofar as their application would  
37 preclude or reduce federal assistance for that work.

38 11. If a bid is submitted by two or more contractors as a joint  
39 venture or by one of them as a joint venturer, the bid may be  
40 deemed the best bid only if both or all of the joint venturers  
41 separately meet the requirements of subsection 2.

42 12. The State Contractors' Board shall adopt regulations and  
43 may assess reasonable fees relating to the certification of contractors  
44 for a preference in bidding on public works.



1 13. A person or entity who believes that a contractor  
2 wrongfully holds a certificate of eligibility to receive a preference in  
3 bidding on public works may challenge the validity of the certificate  
4 by filing a written objection with the public body to which the  
5 contractor has submitted a bid on a contract for the construction of a  
6 public work. A written objection authorized pursuant to this  
7 subsection must:

8 (a) Set forth proof or substantiating evidence to support the  
9 belief of the person or entity that the contractor wrongfully holds a  
10 certificate of eligibility to receive a preference in bidding on public  
11 works; and

12 (b) Be filed with the public body not later than 3 business days  
13 after the opening of the bids by the public body or its authorized  
14 representative.

15 14. If a public body receives a written objection pursuant to  
16 subsection 13, the public body shall determine whether the objection  
17 is accompanied by the proof or substantiating evidence required  
18 pursuant to paragraph (a) of that subsection. If the public body  
19 determines that the objection is not accompanied by the required  
20 proof or substantiating evidence, the public body shall dismiss the  
21 objection and the public body or its authorized representative may  
22 proceed immediately to award the contract. If the public body  
23 determines that the objection is accompanied by the required proof  
24 or substantiating evidence, the public body shall determine whether  
25 the contractor qualifies for the certificate pursuant to the provisions  
26 of this section and the public body or its authorized representative  
27 may proceed to award the contract accordingly.

28 **Sec. 9.** NRS 387.328 is hereby amended to read as follows:

29 387.328 1. The board of trustees of each school district shall  
30 establish a fund for capital projects for the purposes set forth in  
31 subsection 1 of NRS 387.335. The money in the fund for capital  
32 projects may be transferred to the debt service fund to pay the cost  
33 of the school district's debt service.

34 2. The board of trustees may accumulate money in the fund for  
35 capital projects for a period not to exceed 20 years.

36 3. ~~[That portion of the governmental services tax whose~~  
37 ~~allocation to the school district pursuant to NRS 482.181 is based on~~  
38 ~~the amount of the property tax levy attributable to its debt service~~  
39 ~~must be deposited in the county treasury to the credit of the fund~~  
40 ~~established under subsection 1 or the school district's debt service~~  
41 ~~fund.~~

42 ~~—4.]~~ No money in the fund for capital projects at the end of the  
43 fiscal year may revert to the county school district fund, nor may the  
44 money be a surplus for any other purpose than those specified in  
45 subsection 1.



1 ~~[5.]~~ 4. The proceeds of the taxes deposited in the fund for  
2 capital projects pursuant to NRS 244.3354, 268.0962 and 375.070  
3 may be pledged to the payment of the principal and interest on  
4 bonds or other obligations issued for one or more of the purposes set  
5 forth in NRS 387.335. The proceeds of such taxes so pledged may  
6 be treated as pledged revenues for the purposes of subsection 3 of  
7 NRS 350.020, and the board of trustees of a school district may  
8 issue bonds for those purposes in accordance with the provisions of  
9 chapter 350 of NRS.

10 **Sec. 10.** NRS 482.260 is hereby amended to read as follows:

11 482.260 1. When registering a vehicle, the Department and  
12 its agents or a registered dealer shall:

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

15 (b) ~~Except as otherwise provided in NRS 482.321, collect the~~  
16 ~~governmental services tax on the vehicle, as agent for the county~~  
17 ~~where the applicant intends to base the vehicle for the period of~~  
18 ~~registration, unless the vehicle is deemed to have no base.~~

19 ~~(c)~~ Collect the applicable taxes imposed pursuant to chapters  
20 372, 374, 377 and 377A of NRS.

21 ~~(d)~~ (c) Issue a certificate of registration.

22 ~~(e)~~ (d) If the registration is performed by the Department,  
23 issue the regular license plate or plates.

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

27 2. Upon proof of ownership satisfactory to the Director, he  
28 shall cause to be issued a certificate of title as provided in this  
29 chapter.

30 3. ~~Except as otherwise provided in NRS 371.070, every~~  
31 ~~vehicle being registered for the first time in Nevada must be taxed~~  
32 ~~for the purposes of the governmental services tax for a 12-month~~  
33 ~~period.~~

34 ~~4.]~~ The Department shall deduct and withhold 2 percent of the  
35 taxes collected pursuant to paragraph ~~(e)]~~ (b) of subsection 1 and  
36 remit the remainder to the Department of Taxation.

37 ~~[5.]~~ 4. A registered dealer shall forward all fees and taxes  
38 collected for the registration of vehicles to the Department.

39 **Sec. 11.** NRS 482.399 is hereby amended to read as follows:

40 482.399 1. Upon the transfer of the ownership of or interest  
41 in any vehicle by any holder of a valid registration, or upon  
42 destruction of the vehicle, the registration expires.

43 2. The holder of the original registration may transfer the  
44 registration to another vehicle to be registered by him and use the  
45 same regular license plate or plates or special license plate or plates



1 issued pursuant to NRS 482.3667 to 482.3823, inclusive, or  
2 482.384, on the vehicle from which the registration is being  
3 transferred, if the license plate or plates are appropriate for the  
4 second vehicle, upon filing an application for transfer of registration  
5 and upon paying the transfer registration fee and the excess, if any,  
6 of the registration fee ~~[and governmental services tax on the vehicle~~  
7 ~~to which the registration is transferred]~~ over the total registration fee  
8 ~~[and governmental services tax]~~ paid on all vehicles from which he  
9 is transferring his ownership or interest. Except as otherwise  
10 provided in NRS 482.294, an application for transfer of registration  
11 must be made in person, if practicable, to any office or agent of the  
12 Department or to a registered dealer, and the license plate or plates  
13 may not be used upon a second vehicle until registration of that  
14 vehicle is complete.

15 3. ~~[In computing the governmental services tax, the~~  
16 ~~Department, its agent or the registered dealer shall credit the portion~~  
17 ~~of the tax paid on the first vehicle attributable to the remainder of~~  
18 ~~the current registration period or calendar year on a pro rata monthly~~  
19 ~~basis against the tax due on the second vehicle or on any other~~  
20 ~~vehicle of which the person is the registered owner. If any person~~  
21 ~~transfers his ownership or interest in two or more vehicles, the~~  
22 ~~Department or the registered dealer shall credit the portion of the tax~~  
23 ~~paid on all of the vehicles attributable to the remainder of the~~  
24 ~~current registration period or calendar year on a pro rata monthly~~  
25 ~~basis against the tax due on the vehicle to which the registration is~~  
26 ~~transferred or on any other vehicle of which the person is the~~  
27 ~~registered owner. The certificates of registration and unused license~~  
28 ~~plates of the vehicles from which a person transfers his ownership or~~  
29 ~~interest must be submitted before credit is given against the tax due~~  
30 ~~on the vehicle to which the registration is transferred or on any other~~  
31 ~~vehicle of which the person is the registered owner.~~

32 ~~—4.]~~ In computing the registration fee, the Department or its  
33 agent or the registered dealer shall credit the portion of the  
34 registration fee paid on each vehicle attributable to the remainder of  
35 the current calendar year or registration period on a pro rata basis  
36 against the registration fee due on the vehicle to which registration  
37 is transferred.

38 ~~[5.]~~ 4. If the amount owed on the registration fee ~~[or~~  
39 ~~governmental services tax on the vehicle to which registration is~~  
40 ~~transferred]~~ is less than the credit on the total registration fee ~~[or~~  
41 ~~governmental services tax]~~ paid on all vehicles from which a person  
42 transfers his ownership or interest, no refund may be allowed by the  
43 Department.

44 ~~[6.]~~ 5. If the license plate or plates are not appropriate for the  
45 second vehicle, the plate or plates must be surrendered to the



1 Department or registered dealer and an appropriate plate or plates  
2 must be issued by the Department. The Department shall not reissue  
3 the surrendered plate or plates until the next succeeding licensing  
4 period.

5 ~~[7.]~~ 6. If application for transfer of registration is not made  
6 within 60 days after the destruction or transfer of ownership of or  
7 interest in any vehicle, the license plate or plates must be  
8 surrendered to the Department on or before the 60th day for  
9 cancellation of the registration.

10 ~~[8.]~~ 7. If a person cancels his registration and surrenders to the  
11 Department his license plates for a vehicle, the Department shall, in  
12 accordance with the provisions of subsection ~~[9.]~~ 8, issue to the  
13 person a refund of the portion of the registration fee ~~[and~~  
14 ~~governmental services tax paid on the vehicle]~~ attributable to the  
15 remainder of the ~~[current calendar year or]~~ registration period on a  
16 pro rata basis.

17 ~~[9.]~~ 8. The Department shall issue a refund pursuant to  
18 subsection ~~[8.]~~ 7 only if the request for a refund is made at the time  
19 the registration is cancelled and the license plates are surrendered,  
20 the person requesting the refund is a resident of Nevada, the amount  
21 eligible for refund exceeds \$100 ~~[.]~~ and evidence satisfactory to the  
22 Department is submitted that reasonably proves the existence of  
23 extenuating circumstances. For the purposes of this subsection, the  
24 term "extenuating circumstances" means circumstances wherein:

25 (a) The person has recently relinquished his driver's license and  
26 has sold or otherwise disposed of his vehicle.

27 (b) The vehicle has been determined to be inoperable and the  
28 person does not transfer the registration to a different vehicle.

29 (c) The owner of the vehicle is seriously ill or has died and the  
30 guardians or survivors have sold or otherwise disposed of the  
31 vehicle.

32 (d) Any other event occurs which the Department, by regulation,  
33 has defined to constitute an "extenuating circumstance" for the  
34 purposes of this subsection.

35 **Sec. 12.** NRS 371.010, 371.020, 371.030, 371.040, 371.045,  
36 371.047, 371.050, 371.060, 371.070, 371.080, 371.085, 371.090,  
37 371.100, 371.101, 371.102, 371.103, 371.1035, 371.104, 371.105,  
38 371.106, 371.107, 371.110, 371.120, 371.125, 371.130, 371.140,  
39 371.150, 371.160, 371.170, 371.180, 371.190, 371.200, 371.210,  
40 371.220, 371.230 and 482.181 are hereby repealed.

41 **Sec. 13.** The provisions of this act do not:

42 1. Affect any rights, duties or liability of any person relating to  
43 any taxes imposed pursuant to chapter 371 of NRS for any period  
44 ending before July 1, 2005.



- 1       2. Apply to the administration, collection and enforcement of  
2 any taxes imposed pursuant to chapter 371 of NRS for any period  
3 ending before July 1, 2005.  
4       **Sec. 14.** This act becomes effective on July 1, 2005.

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**LEADLINES OF REPEALED SECTIONS**

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- 371.010** Short title.
- 371.020** Definitions.
- 371.030** Imposition of basic governmental services tax.
- 371.040** Annual amount of basic governmental services tax.
- 371.045** Optional imposition of supplemental governmental services tax: Procedure; rate; collection; use of proceeds.
- 371.047** Use of proceeds of supplemental governmental services tax for certain purposes related to construction of highway with limited access.
- 371.050** Valuation of vehicles.
- 371.060** Schedules for depreciation; minimum amount of tax.
- 371.070** Reduction for initial registration of certain vehicles after beginning of registration year.
- 371.080** Reduction on cessation of exemption of certain vehicles because of change of ownership.
- 371.085** Proration of tax by interstate motor carrier.
- 371.090** Computation of tax and penalty.
- 371.100** Exemption of governmental vehicles, emergency vehicles and certain vehicles operated for elderly or handicapped persons; taxation of vehicle leased or loaned to person for commercial use; exception.
- 371.101** Exemption of vehicle registered by surviving spouse.
- 371.102** Exemption of vehicle registered by blind person.
- 371.103** Exemption of vehicle registered by veteran.
- 371.1035** Waiver of veteran's exemption; designation of any amount of exemption for credit to Gift Account for Veterans' Homes.
- 371.104** Exemptions for disabled veteran and surviving spouse.
- 371.105** Time for claiming exemption and making designation; limitation on total exemption per fiscal year.
- 371.106** Owner to notify Department of cessation of exemption; penalty.



**371.107 Duties of county assessor in county whose population is 50,000 or more.**

**371.110 Due date.**

**371.120 Collection; issuance of receipt.**

**371.125 Designation of county assessor of county whose population is less than 50,000 as agent to assist in collection of tax and administration of exemptions.**

**371.130 Delinquency.**

**371.140 Penalty for delinquency; proof of nonoperation; exceptions.**

**371.150 Collection of current tax; circumstances precluding imposition of penalty.**

**371.160 Effect of failure of bank to pay check in payment of tax or penalty on first presentation.**

**371.170 Exemption from penalty when vehicle repossessed; conditions.**

**371.180 Waiver of penalties accruing before transfer of vehicle.**

**371.190 Lien on vehicle for delinquent tax; seizure and sale of vehicle or removal of registration certificate and license plates; conduct of seizure and sale.**

**371.200 Notice to legal owner before sale of vehicle.**

**371.210 Payment of tax, penalties and costs by legal owner before sale; return of vehicle.**

**371.220 Refund of tax or penalty erroneously collected.**

**371.230 Deposit of money collected to credit of Motor Vehicle Fund.**

**482.181 Governmental services taxes: Certification of amount collected each month; distribution.**





