
ASSEMBLY BILL NO. 291—ASSEMBLYMEN SPIEGEL, KOIVISTO, BOBZIEN, MCCLAIN; AIZLEY, ATKINSON, CHRISTENSEN, CONKLIN, DONDERO LOOP, HAMBRICK, HOGAN, KIHUEN, MANENDO, MUNFORD, OHRENSCHALL, PARNELL, PIERCE AND SETTELMAYER

MARCH 11, 2009

JOINT SPONSOR: SENATOR PARKS

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to motor vehicle registration. (BDR 43-919)

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 penalties for failure to register certain motor vehicles; authorizing constables to enforce certain provisions relating to registration of motor vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a person, within 60 days of becoming a resident of this
2 State, to apply for registration for each vehicle he owns which is operated in this
3 State. (NRS 482.385) **Section 2** of this bill increases the fine for failing to comply
4 with that requirement from a minimum of \$250 and a maximum of \$500 to a
5 \$1,000 fine, and provides that the fine may be reduced to not less than \$200 if the
6 person provides proof of registration of the vehicle in Nevada at the time of his
7 hearing. **Sections 1 and 2** of this bill also specify that constables are entitled to
8 demand and view the certificate of registration for a vehicle and to request
9 information to determine whether the vehicle is required to be registered in this
10 State. (NRS 482.255, 482.385) **Section 3** of this bill specifically authorizes
11 constables to issue citations for failure to register a vehicle that is required by
12 existing law to be registered in this State. (NRS 258.070)



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

1 **Section 1.** NRS 482.255 is hereby amended to read as follows:
2 482.255 1. Upon receipt of a certificate of registration, the
3 owner shall place it or a legible copy in the vehicle for which it is
4 issued and keep it in the vehicle. If the vehicle is a motorcycle,
5 trailer or semitrailer, he shall carry the certificate in the tool bag or
6 other convenient receptacle attached to the vehicle.

7 2. The owner or operator of a motor vehicle shall, upon
8 demand, surrender the certificate of registration or the copy for
9 examination to any peace officer, *including a constable, or a* justice
10 of the peace or deputy of the Department.

11 3. No person charged with violating this section may be
12 convicted if he produces in court a certificate of registration which
13 was previously issued to him and was valid at the time of the
14 demand.

15 **Sec. 2.** NRS 482.385 is hereby amended to read as follows:

16 482.385 1. Except as otherwise provided in subsection ~~4~~ 5
17 and NRS 482.390, a nonresident owner of a vehicle of a type subject
18 to registration pursuant to the provisions of this chapter, owning any
19 vehicle which has been registered for the current year in the state,
20 country or other place of which the owner is a resident and which at
21 all times when operated in this State has displayed upon it the
22 registration license plate issued for the vehicle in the place of
23 residence of the owner, may operate or permit the operation of the
24 vehicle within this State without its registration in this State
25 pursuant to the provisions of this chapter and without the payment
26 of any registration fees to this State.

27 2. This section does not:

28 (a) Prohibit the use of manufacturers', distributors' or dealers'
29 license plates issued by any state or country by any nonresident in
30 the operation of any vehicle on the public highways of this State.

31 (b) Require registration of vehicles of a type subject to
32 registration pursuant to the provisions of this chapter operated by
33 nonresident common motor carriers of persons or property, contract
34 motor carriers of persons or property, or private motor carriers of
35 property as stated in NRS 482.390.

36 (c) Require registration of a vehicle operated by a border state
37 employee.

38 3. When a person, formerly a nonresident, becomes a resident
39 of this State, he shall:

40 (a) Within 60 days after becoming a resident; or

41 (b) At the time he obtains his driver's license,



1 ↪ whichever occurs earlier, apply for the registration of each
2 vehicle he owns which is operated in this State. When a person,
3 formerly a nonresident, applies for a driver's license in this State,
4 the Department shall inform the person of the requirements imposed
5 by this subsection and of the penalties that may be imposed for
6 failure to comply with the provisions of this subsection. A citation
7 may be issued pursuant to this subsection only if the violation is
8 discovered when the vehicle is halted or its driver arrested for
9 another alleged violation or offense. ~~[A person who violates the~~
10 ~~provisions of this subsection is guilty of a misdemeanor and shall be~~
11 ~~punished by a fine of not less than \$250 nor more than \$500 and~~
12 ~~such fine is in addition to any fine or penalty imposed for the other~~
13 ~~alleged violation or offense for which the vehicle was halted or its~~
14 ~~driver arrested. In addition, the]~~ *The* Department shall maintain or
15 cause to be maintained a list or other record of persons who fail to
16 comply with the provisions of this subsection and shall, at least once
17 each month, provide a copy of that list or record to the Department
18 of Public Safety.

19 4. *A person who violates the provisions of subsection 3 is*
20 *guilty of a misdemeanor and, except as otherwise provided in this*
21 *subsection, shall be punished by a fine of \$1,000. The fine*
22 *imposed pursuant to this subsection is in addition to any fine or*
23 *penalty imposed for the other alleged violation or offense for*
24 *which the vehicle was halted or its driver arrested pursuant to*
25 *subsection 3. The fine imposed pursuant to this subsection may be*
26 *reduced to not less than \$200 if the person presents evidence at the*
27 *time of his hearing that he has registered the vehicle pursuant to*
28 *this chapter.*

29 5. Any resident operating upon a highway of this State a motor
30 vehicle which is owned by a nonresident and which is furnished to
31 the resident operator for his continuous use within this State, shall
32 cause that vehicle to be registered within 60 days after beginning its
33 operation within this State.

34 ~~[5.]~~ 6. A person registering a vehicle pursuant to the
35 provisions of subsection 3, ~~[4]~~ 5 or ~~[6]~~ 7 or pursuant to
36 NRS 482.390:

37 (a) Must be assessed the registration fees and governmental
38 services tax, as required by the provisions of this chapter and
39 chapter 371 of NRS; and

40 (b) Must not be allowed credit on those taxes and fees for the
41 unused months of his previous registration.

42 ~~[6.]~~ 7. If a vehicle is used in this State for a gainful purpose,
43 the owner shall immediately apply to the Department for
44 registration, except as otherwise provided in NRS 482.390, 482.395
45 and 706.801 to 706.861, inclusive.



1 ~~[7.]~~ 8. An owner registering a vehicle pursuant to the
2 provisions of this section shall surrender the existing nonresident
3 license plates and registration certificates to the Department for
4 cancellation.

5 ~~[8.]~~ 9. A vehicle may be cited for a violation of this section
6 regardless of whether it is in operation or is parked on a highway, in
7 a public parking lot or on private property which is open to the
8 public if, after communicating with the owner or operator of the
9 vehicle, the peace officer issuing the citation determines that:

10 (a) The owner of the vehicle is a resident of this State; or

11 (b) The vehicle is used in this State for a gainful purpose.

12 *↪ As used in this subsection, "peace officer" includes a constable.*

13 **Sec. 3.** NRS 258.070 is hereby amended to read as follows:

14 258.070 1. Each constable shall:

15 (a) Be a peace officer in his township.

16 (b) Serve all mesne and final process issued by a court of
17 competent jurisdiction.

18 (c) Execute the process, writs or warrants that he is authorized to
19 receive pursuant to NRS 248.100.

20 (d) Discharge such other duties as are or may be prescribed by
21 law.

22 2. *Pursuant to the procedures and subject to the limitations
23 set forth in chapters 482 and 484 of NRS, a constable may issue a
24 citation to an owner or driver, as appropriate, of a vehicle that is
25 required to be registered in this State if the constable determines
26 that the vehicle is not properly registered.*

27 3. If a sheriff or his deputy in any county in this State arrests a
28 person charged with a criminal offense or in the commission of an
29 offense, the sheriff or his deputy shall serve all process, whether
30 mesne or final, and attend the court executing the order thereof in
31 the prosecution of the person so arrested, whether in a justice court
32 or a district court, to the conclusion, and whether the offense is an
33 offense of which a justice of the peace has jurisdiction, or whether
34 the proceeding is a preliminary examination or hearing. The sheriff
35 or his deputy shall collect the same fees and in the same manner
36 therefor as the constable of the township in which the justice court is
37 held would receive for the same service.

