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SECOND REPRINT

S.B. 205

SENATE BILL NO. 205—SENATORS HANSEN, STONE, TITUS,  
GOICOECHEA; KRASNER AND SEEVERS GANSERT

MARCH 2, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to the registration of off-highway vehicles. (BDR 43-546)

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

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

AN ACT relating to off-highway vehicles; revising provisions governing the registration of certain off-highway vehicles; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law: (1) requires the annual registration of certain off-highway  
2 vehicles, including large all-terrain vehicles, with the Department of Motor  
3 Vehicles; and (2) exempts from such requirements an off-highway vehicle which is  
4 registered or certified in another state and is located in this State for not more than  
5 15 days. (NRS 490.082, 490.0825) **Section 1.5** of this bill authorizes the owners of  
6 such vehicles to register such vehicles for a 1-year or 3-year period. **Section 1.5**  
7 also provides that the existing exemption from registration for off-highway vehicles  
8 which are registered or certified in another state applies only if the off-highway  
9 vehicle is registered or certified in a state which provides a similar exemption from  
10 registration for off-highway vehicles registered in this State.

11 Existing law requires the Commission on Off-Highway Vehicles within the  
12 State Department of Conservation and Natural Resources to determine the fee for  
13 the annual registration of an off-highway vehicle. (NRS 490.084) **Section 2** of this  
14 bill additionally requires the Commission to determine the fee for the triennial  
15 registration of an off-highway vehicle. **Section 1** of this bill makes a conforming  
16 change to reflect the new fee structure.

17 **Section 2.5** of this bill requires the Director of the Department of Motor  
18 Vehicles to notify the Governor and the Director of the Legislative Counsel Bureau  
19 when the Director of the Department determines that sufficient resources are  
20 available to enable the Department to carry out the provisions of **sections 1, 1.5**  
21 **and 2** and requires the Director to publish such notice on the Internet website of the  
22 Department. Under **section 3** of this bill, the provisions of **sections 1, 1.5 and 2**  
23 become effective on the date on which the Director provides such notice.



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

1       **Section 1.** NRS 490.070 is hereby amended to read as follows:

2       490.070 1. Upon the request of an off-highway vehicle  
3 dealer, the Department may authorize the off-highway vehicle  
4 dealer to receive and submit to the Department applications for the:

5       (a) Issuance of certificates of title and registration for off-  
6 highway vehicles; and

7       (b) Renewal of registration for off-highway vehicles.

8       2. An authorized dealer shall:

9       (a) Except as otherwise provided in subsection 4, submit to the  
10 State Treasurer for allocation to the Department all fees collected by  
11 the authorized dealer from each applicant and properly account for  
12 those fees each month;

13       (b) Comply with the regulations adopted pursuant to subsection  
14 5; and

15       (c) Bear any cost of equipment which is required to receive and  
16 submit to the Department the applications described in subsection 1,  
17 including any computer software or hardware.

18       3. Except as otherwise provided in subsection 4, an authorized  
19 dealer is not entitled to receive compensation for the performance of  
20 any services pursuant to this section.

21       4. An authorized dealer may charge and collect a fee of not  
22 more than \$2 for each application for a certificate of title or  
23 registration received by the authorized dealer pursuant to this  
24 section. An authorized dealer may retain any fee collected by the  
25 authorized dealer pursuant to this subsection.

26       5. The Department shall adopt regulations to carry out the  
27 provisions of this section. The regulations must include, without  
28 limitation, provisions for:

29       (a) The expedient and secure issuance of:

30           (1) Forms for applying for the issuance of certificates of title  
31 for, or registration of, off-highway vehicles;

32           (2) Certificates of title and registration by the Department to  
33 each applicant whose application is approved by the Department;  
34 and

35           (3) Renewal notices for registrations before the date of  
36 expiration of the registrations;

37       (b) The renewal of registrations by mail or the Internet;

38       (c) The collection of a fee ~~of not less than \$20 or more than~~  
39 ~~\$30~~ *in the amount established pursuant to NRS 490.084* for the  
40 renewal of a registration of an off-highway vehicle pursuant to NRS  
41 490.082 or 490.0825;



1 (d) The submission by mail or electronic transmission to the  
2 Department of an application for:

3 (1) The issuance of a certificate of title for, or registration of,  
4 an off-highway vehicle; or

5 (2) The renewal of registration of an off-highway vehicle;

6 (e) The replacement of a lost, damaged or destroyed certificate  
7 of title or registration certificate, sticker or decal; and

8 (f) The revocation of the authorization granted to a dealer  
9 pursuant to subsection 1 if the authorized dealer fails to comply with  
10 the regulations.

11 **Sec. 1.5.** NRS 490.082 is hereby amended to read as follows:

12 490.082 1. An owner of an off-highway vehicle that is  
13 acquired:

14 (a) Before July 1, 2011:

15 (1) May apply for, to the Department by mail or to an  
16 authorized dealer, and obtain from the Department, a certificate of  
17 title for the off-highway vehicle.

18 (2) Except as otherwise provided in subsection 3, shall,  
19 within 1 year after July 1, 2011, apply for, to the Department by  
20 mail or to an authorized dealer, and obtain from the Department, the  
21 registration of the off-highway vehicle.

22 (b) On or after July 1, 2011, shall, within 30 days after acquiring  
23 ownership of the off-highway vehicle:

24 (1) Apply for, to the Department by mail or to an authorized  
25 dealer, and obtain from the Department, a certificate of title for the  
26 off-highway vehicle.

27 (2) Except as otherwise provided in subsection 3, apply for,  
28 to the Department by mail or to an authorized dealer, and obtain  
29 from the Department, the registration of the off-highway vehicle  
30 pursuant to this section or NRS 490.0825.

31 2. If an owner of an off-highway vehicle applies to the  
32 Department or to an authorized dealer for:

33 (a) A certificate of title for the off-highway vehicle, the owner  
34 shall submit to the Department or to the authorized dealer proof  
35 prescribed by the Department that he or she is the owner of the off-  
36 highway vehicle.

37 (b) Except as otherwise provided in NRS 490.0825, the  
38 registration of the off-highway vehicle, the owner shall submit:

39 (1) If ownership of the off-highway vehicle was obtained  
40 before July 1, 2011, proof prescribed by the Department:

41 (I) That he or she is the owner of the off-highway vehicle;  
42 and

43 (II) Of the unique vehicle identification number, serial  
44 number or distinguishing number obtained pursuant to NRS  
45 490.0835 for the off-highway vehicle; or



1 (2) If ownership of the off-highway vehicle was obtained on  
2 or after July 1, 2011:

3 (I) Evidence satisfactory to the Department that he or she  
4 has paid all taxes applicable in this State relating to the purchase of  
5 the off-highway vehicle, or submit an affidavit indicating that he or  
6 she purchased the vehicle through a private party sale and no tax is  
7 due relating to the purchase of the off-highway vehicle; and

8 (II) Proof prescribed by the Department that he or she is  
9 the owner of the off-highway vehicle and of the unique vehicle  
10 identification number, serial number or distinguishing number  
11 obtained pursuant to NRS 490.0835 for the off-highway vehicle.

12 3. Registration of an off-highway vehicle is not required if the  
13 off-highway vehicle:

14 (a) Is owned and operated by:

15 (1) A federal agency;

16 (2) An agency of this State; or

17 (3) A county, incorporated city or unincorporated town in  
18 this State;

19 (b) Is part of the inventory of a dealer of off-highway vehicles  
20 and is affixed with a special plate provided to the off-highway  
21 vehicle dealer pursuant to NRS 490.0827;

22 (c) Is ~~registered~~ :

23 (1) *Located in this State for not more than 15 days; and*

24 (2) *Registered* or certified in another state ~~and is located~~  
25 *that allows off-highway vehicles that are registered* in this State *to*  
26 *operate within the boundaries of that state without being*  
27 *registered or certified* for not ~~more~~ *less* than 15 days;

28 (d) Is used solely for husbandry on private land or on public  
29 land that is leased to or used under a permit issued to the owner or  
30 operator of the off-highway vehicle;

31 (e) Is used for work conducted by or at the direction of a public  
32 or private utility;

33 (f) Was manufactured before January 1, 1976;

34 (g) Is operated solely in an organized race, festival or other  
35 event that is conducted:

36 (1) Under the auspices of a sanctioning body; or

37 (2) By permit issued by a governmental entity having  
38 jurisdiction;

39 (h) Except as otherwise provided in paragraph (d), is operated or  
40 stored on private land or on public land that is leased to the owner or  
41 operator of the off-highway vehicle, including when operated in an  
42 organized race, festival or other event;

43 (i) Is used in a search and rescue operation conducted by a  
44 governmental entity having jurisdiction; or

45 (j) Has a displacement of not more than 70 cubic centimeters.



1 ↪ As used in this subsection, “sanctioning body” means an  
2 organization that establishes a schedule of racing events, grants  
3 rights to conduct those events and establishes and administers rules  
4 and regulations governing the persons who conduct or participate in  
5 those events.

6 4. ~~[The]~~ *At the time of the registration or renewal of*  
7 *registration* of an off-highway vehicle pursuant to this section or  
8 NRS 490.0825 ~~[expires 1 year after its issuance.]~~, *the owner of the*  
9 *off-highway vehicle may register the off-highway vehicle for a 1-*  
10 *year or 3-year period.* If an owner of an off-highway vehicle fails to  
11 renew the registration of the off-highway vehicle before it expires,  
12 the registration may be reinstated upon the payment to the  
13 Department of the annual *or triennial* renewal fee, a late fee of \$10  
14 and, if applicable, proof of insurance required pursuant to NRS  
15 490.0825. Any late fee collected by the Department must be  
16 deposited with the State Treasurer for credit to the Revolving  
17 Account for the Administration of Off-Highway Vehicle Titling and  
18 Registration created by NRS 490.085.

19 5. If a certificate of title or registration for an off-highway  
20 vehicle is lost or destroyed, the owner of the off-highway vehicle  
21 may apply to the Department by mail, or to an authorized dealer, for  
22 a duplicate certificate of title or registration. The Department may  
23 collect a fee to replace a certificate of title or registration certificate,  
24 sticker or decal that is lost, damaged or destroyed. Any such fee  
25 collected by the Department must be:

- 26 (a) Set forth by the Department by regulation; and  
27 (b) Deposited with the State Treasurer for credit to the  
28 Revolving Account for the Administration of Off-Highway Vehicle  
29 Titling and Registration created by NRS 490.085.

30 6. The provisions of subsections 1 to 5, inclusive, do not apply  
31 to an owner of an off-highway vehicle who is not a resident of this  
32 State.

33 **Sec. 2.** NRS 490.084 is hereby amended to read as follows:

34 490.084 1. The Department shall determine the fee for  
35 issuing a certificate of title for an off-highway vehicle, but such fee  
36 must not exceed the fee imposed for issuing a certificate of title  
37 pursuant to NRS 482.429. ~~[Money received from the payment of the~~  
38 ~~fees described in this subsection must be deposited with the State~~  
39 ~~Treasurer for credit to the Revolving Account for the Administration~~  
40 ~~of Off Highway Vehicle Titling and Registration created by~~  
41 ~~NRS 490.085.]~~

42 2. The Commission shall determine the fee for the annual *or*  
43 *triennial* registration of an off-highway vehicle pursuant to NRS  
44 490.082 or 490.0825, but such fee must not be ~~[less]~~ .:



1 (a) *Less than \$20 or more than \$30 ~~if~~ if the off-highway*  
2 *vehicle is registered for a 1-year period; and*

3 (b) *Less than \$60 or more than \$90 if the off-highway vehicle*  
4 *is registered for a 3-year period.*

5 3. Money received from the payment of the fees described in  
6 this ~~[subsection]~~ *section* must be deposited with the State Treasurer  
7 for credit to the Revolving Account for the Administration of Off-  
8 Highway Vehicle Titling and Registration created by NRS 490.085.

9 **Sec. 2.5.** As soon as practicable, upon determining that  
10 sufficient resources are available to enable the Department of Motor  
11 Vehicles to carry out the amendatory provisions of this act, the  
12 Director of the Department shall notify the Governor and the  
13 Director of the Legislative Counsel Bureau of that fact, and shall  
14 publish on the Internet website of the Department notice to the  
15 public of that fact.

16 **Sec. 3.** 1. This section and section 2.5 of this act become  
17 effective upon passage and approval.

18 2. Sections 1, 1.5 and 2 of this act become effective:

19 (a) Upon passage and approval for the purpose of adopting any  
20 regulations and performing any other preparatory administrative  
21 tasks that are necessary to carry out the provisions of this act; and

22 (b) On the date on which the Director of the Department of  
23 Motor Vehicles, pursuant to section 2.5 of this act, notifies the  
24 Governor and the Director of the Legislative Counsel Bureau that  
25 sufficient resources are available to carry out the amendatory  
26 provisions of this act.

