

LCB File No. R125-09

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF MOTOR VEHICLES**

August 3, 2009

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

AUTHORITY: § 1, NRS 481.051 and NRS 487.002.

A REGULATION relating to vehicles; authorizing a person other than an automobile wrecker, dealer of new or used motor vehicles or rebuilder to obtain a private bidder identifying card and bid to purchase a vehicle other than a nonrepairable vehicle from the operator of a salvage pool; prohibiting a person who obtains such a card from purchasing from operators of salvage pools in this State more than three vehicles in any calendar year; and providing for the cancellation of any issued private bidder identifying card.

Section 1. Chapter 487 of NAC is hereby amended by adding thereto a new section to read as follows:

Definition: Private Bidder Identifying Card; An identifying card issued by the Department to a private individual, not licensed as an automobile wrecker, dealer, or rebuilder, to enable the individual to bid to purchase a vehicle, other than a nonrepairable vehicle, from an operator of a Department licensed salvage pool.

1. The Department shall establish, and maintain, a website for the tracking of each private bidder. The Website shall include:

(a) The private bidder's name, and I.D. card number; and the status of the card.

2. Prior to the completion of any sale to a private bidder I.D. card holder, the operator of a salvage pool shall be required to check the Department's website to determine the current status of the cardholder.

(a) If the cardholder' status is inactive the salvage pool operator shall not sell any salvage vehicles to the private bidder.

(b) If the cardholder' status is active the salvage pool operator shall check their own records, to determine if they have sold three or more vehicles to the private bidder in the current calendar year.

(1) If the salvage pool has sold less than three vehicles to the cardholder in the current calendar year, he may sell additional vehicles to the cardholder up to a maximum of three vehicles purchased during that calendar year.

(2) If the salvage pool has previously sold three vehicles to the cardholder in the current calendar year, he shall refuse to sell any further vehicles to the cardholder in the same calendar year.

3. Each operator of a salvage pool shall report all vehicle sales made to private bidders to the Department on a monthly basis.

(a) The Report for each month's sales shall be reported no later than the 10th day of the following month; and

(b) The report shall be submitted in an electronic format, on a form approved by the Department.

4. The private bidder identifying card shall become immediately inactive after the purchase of three vehicles in a calendar year by the card holder.

(a) The identifying card is eligible to be made active again at the start of the new calendar year, with payment of the required annual fee to the Department.

5. A person who has been issued a private bidder identifying card shall not resell any purchased vehicle;

(a) In violation of NRS 482.322; and

(b) Until such vehicle has been issued a “Rebuilt” title by the Department in the identifying card holder’s name;

6. Any person issued a private bidder identifying card who violates any act prohibited by NRS 487.470.4.(a), (b), (c) or (d), or any regulation governing the use of the card, shall be subject to immediate cancellation of the issued card, and that person shall be ineligible to be issued another card.