

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

LCB File No. R125-09

January 12, 2010

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

AUTHORITY: §§1-8, section 2.7 of Senate Bill No. 360, chapter 363, Statutes of Nevada 2009, at page 1745 (NRS 487.505).

A REGULATION relating to vehicles; establishing procedures for a person other than an automobile wrecker, dealer of new or used motor vehicles or rebuilder to obtain a private bidder identifying card to bid for the purchase of vehicles from an operator of a salvage pool; requiring the Department of Motor Vehicles to establish a website to track private bidders and private bidder identifying cards; requiring an operator of a salvage pool to report certain information to the Department regarding sales of vehicles to private bidders; providing for the revocation of a private bidder identifying card under certain circumstances; and providing other matters properly relating thereto.

Section 1. Chapter 487 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *“Private bidder” means a person who holds a private bidder identifying card.*

Sec. 3. *“Private bidder identifying card” means an identifying card which is issued by the Department in accordance with section 2.3 of Senate Bill No. 360, chapter 363, Statutes of Nevada 2009, at page 1745 (NRS 487.477), and which authorizes a person other than an automobile wrecker, dealer or rebuilder to bid to purchase a vehicle other than a nonrepairable vehicle from an operator of a salvage pool.*

Sec. 4. 1. *The Department will create and maintain a website on the Internet for the purpose of tracking private bidders and private bidder identifying cards.*

2. *The website must include, without limitation:*

- (a) The name of each private bidder;*
- (b) The identifying number of each private bidder's private bidder identifying card; and*
- (c) The current status of each private bidder identifying card.*

Sec. 5. 1. *Before the completion of any sale of a vehicle to a private bidder by an operator of a salvage pool:*

(a) The private bidder shall present to the operator the private bidder's private bidder identifying card; and

(b) The operator shall consult the website established by the Department pursuant to section 4 of this regulation to determine the status of the private bidder's private bidder identifying card.

2. If the status of the private bidder identifying card is invalid, the operator shall not complete the sale of the vehicle.

3. If the status of the private bidder identifying card is valid, before completing the sale of the vehicle, the operator shall review the records maintained by the operator to ascertain the number of vehicles that the operator has sold to the private bidder within the current calendar year. If the operator has sold to the private bidder within the current calendar year:

(a) Three vehicles, the operator shall not complete the sale of the vehicle.

(b) Fewer than three vehicles, the operator may complete the sale of the vehicle.

4. At the time of completing the sale of the vehicle, the operator shall collect from the private bidder the appropriate fee for issuance of a salvage title. Not later than 30 days after the date on which the sale is completed, the operator shall submit to the Department the fee collected from the private bidder for issuance of the salvage title, together with the application

and other documents required for issuance of the salvage title in the name of the private bidder.

5. Each operator of a salvage pool shall, not later than the 10th day of each month, submit to the Department a report, in electronic format and on a form approved by the Department, listing all sales of vehicles made to private bidders during the previous month.

Sec. 6. If a private bidder purchases three vehicles using the private bidder's private bidder identifying card within a calendar year, the private bidder identifying card shall be deemed to be invalid for the remainder of the calendar year.

Sec. 7. The Department may revoke the private bidder identifying card of any private bidder who violates any provision of any statute or regulation governing the use of the private bidder identifying card. The Department may refuse to review a subsequent application for a private bidder identifying card submitted by any person whose private bidder identifying card was revoked by the Department pursuant to this section.

Sec. 8. NAC 487.001 is hereby amended to read as follows:

487.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 487.002 to 487.009, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.