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FIRST REPRINT

A.B. 203

ASSEMBLY BILL NO. 203—ASSEMBLYMAN CARRILLO (BY REQUEST)

MARCH 2, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions pertaining to short-term lessors of vehicles. (BDR 43-572)

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.

AN ACT relating to short-term lessors of vehicles; revising provisions governing the charging and collection of governmental services fees required upon the short-term leasing of passenger cars; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a person licensed as a short-term lessor of vehicles must
2 charge and collect from each short-term lessee of a passenger car a governmental
3 services fee of 10 percent of the total amount for which the passenger car was
4 leased, excluding some deductions. (NRS 482.313) **Section 1** of this bill adds to the
5 list of permissible deductions the amount of any fee or charge that is imposed by a
6 governmental entity. **Section 1** also provides an exemption from the imposition of
7 the governmental services fee for any passenger car leased by or on behalf of this
8 State, its unincorporated agencies and instrumentalities and any county, city,
9 district or other political subdivision of this State.
10 **Section 4** of this bill replaces the term “passenger car” with the term “vehicle”
11 for the purposes of allowing an employee of a short-term lessor who holds a limited
12 license as a producer of insurance to solicit and sell insurance requested by a short-
13 term lessee. (NRS 683A.221)

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

1 **Section 1.** NRS 482.313 is hereby amended to read as follows:
2 482.313 1. ~~Upon~~ *Except as otherwise provided in*
3 *subsection 8, upon* the lease of a passenger car by a short-term



* A B 2 0 3 R 1 *

1 lessor in this State, the short-term lessor shall charge and collect
2 from the short-term lessee:

3 (a) A governmental services fee of 10 percent of the total
4 amount for which the passenger car was leased, excluding *any taxes*
5 *or other fees imposed by a governmental entity and* the items
6 described in subsection 7; and

7 (b) Any fee required pursuant to NRS 244A.810 or 244A.860.
8 ➔ The amount of each fee charged pursuant to this subsection must
9 be indicated in the lease agreement.

10 2. The fees due from a short-term lessor to the Department of
11 Taxation pursuant to subsection 1 are due on the last day of each
12 calendar quarter. On or before the last day of the month following
13 each calendar quarter, the short-term lessor shall:

14 (a) File with the Department of Taxation, on a form prescribed
15 by the Department of Taxation, a report indicating the total amount
16 of each of the fees collected by the short-term lessor pursuant to
17 subsection 1 during the immediately preceding calendar quarter; and

18 (b) Remit to the Department of Taxation the fees collected by
19 the short-term lessor pursuant to subsection 1 during the
20 immediately preceding calendar quarter.

21 3. Except as otherwise provided in a contract made pursuant to
22 NRS 244A.820 or 244A.870, the Department of Taxation shall
23 deposit all money received from short-term lessors pursuant to the
24 provisions of subsection 1 with the State Treasurer for credit to the
25 State General Fund.

26 4. To ensure compliance with this section, the Department of
27 Taxation may audit the records of a short-term lessor.

28 5. The provisions of this section do not limit or affect the
29 payment of any taxes or fees imposed pursuant to the provisions of
30 this chapter.

31 6. The Department of Motor Vehicles shall, upon request,
32 provide to the Department of Taxation any information in its records
33 relating to a short-term lessor that the Department of Taxation
34 considers necessary to collect the fees described in subsection 1.

35 7. For the purposes of charging and collecting the
36 governmental services fee described in paragraph (a) of subsection
37 1, the following items must not be included in the total amount for
38 which the passenger car was leased:

39 (a) The amount of any fee charged and collected pursuant to
40 paragraph (b) of subsection 1;

41 (b) The amount of any charge for fuel used to operate the
42 passenger car;

43 (c) The amount of any fee or charge for the delivery,
44 transportation or other handling of the passenger car;



1 (d) The amount of any fee or charge for insurance, including,
2 without limitation, personal accident insurance, extended coverage
3 or insurance coverage for personal property; and

4 (e) The amount of any charges assessed against a short-term
5 lessee for damages for which the short-term lessee is held
6 responsible.

7 8. *The fee required pursuant to subsection 1 does not apply*
8 *with respect to any passenger car leased by or on behalf of this*
9 *State, its unincorporated agencies and instrumentalities or any*
10 *county, city, district or other political subdivision of this State.*

11 9. The Executive Director of the Department of Taxation shall:

12 (a) Adopt such regulations as the Executive Director determines
13 are necessary to carry out the provisions of this section; and

14 (b) Upon the request of the Director of the Department of Motor
15 Vehicles, provide to the Director of the Department of Motor
16 Vehicles a copy of any record or report described in this section.

17 **Sec. 2.** (Deleted by amendment.)

18 **Sec. 3.** (Deleted by amendment.)

19 **Sec. 4.** NRS 683A.221 is hereby amended to read as follows:

20 683A.221 If a short-term lessor of ~~passenger~~ vehicles
21 licensed pursuant to NRS 482.363 holds a limited license as a
22 producer of insurance issued pursuant to NRS 683A.271, an
23 employee of the short-term lessor may engage in the solicitation and
24 sale of insurance requested by a lessee pursuant to NRS 482.3158
25 without a license issued pursuant to this chapter if the solicitation
26 and sale of such insurance is done on behalf of, and under the
27 supervision of, the short-term lessor.

28 **Sec. 5.** This act becomes effective on July 1, 2015.



