

# MOTOR CARRIER NEWSLETTER



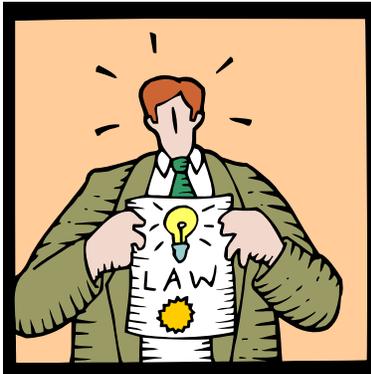
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Welcome to the 2009 Second Quarter Edition of the Motor Carrier Newsletter. We hope you find the information contained herein beneficial to you and your company. We encourage you to provide your ideas and comments so that we may include them in future issues.

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## ATTENTION NEVADA MOTOR CARRIERS



### **2009 (75th) LEGISLATIVE SESSION SUMMARY OF LEGISLATION ENACTED AFFECTING THE MOTOR CARRIER DIVISION**

**The following is a brief summary, by bill, of Legislation enacted affecting Motor Carriers; a link has been provided to view each bill in its entirety. For further clarification and/or assistance, please contact the Motor Carrier Division at (775) 684-4711.**

### **Assembly Bill (AB) 372 - Trip Permits requirement and registration changes**

The passage of AB372, effective July 1, 2009, requires carriers defined as commercial with a gross vehicle weight or combined gross vehicle weight rating of 10,001 pounds or greater to obtain a 24-hour temporary registration trip permit prior to traveling in or through Nevada. Vehicles may no longer travel in Nevada to the first available vendor to purchase temporary trip permits. AB372 also contains provisions for administrative fines, which shall be imposed, in addition to any applicable criminal penalties, if a vehicle or combination of vehicles is determined to weigh greater than its registered weight. If a vehicle is cited, it must be re-registered at its maximum weight, as specified by the vehicle's manufacturer.

Please click the link below to read the bill in its entirety:

[AB372](#)

### **AB414 – Diesel Emission requirement change**

Assembly Bill 414, effective July 1, 2009, has expanded the range of diesel powered vehicles subject to the annual registration enforced emission testing program. Diesel-powered vehicles with a manufacturer's gross vehicle weight rating (GVWR) up to and including 14,000 pounds will require an emission test for registration. Previously, diesel powered vehicles with a GVWR of 10,000 lbs or less were required to obtain an emission test.

Please click the link below to read the bill in its entirety:

[AB414](#)



### **AB455 – Self Issuance for Motor Carriers**

Assembly bill 455, effective January 1, 2010, allows the Department to enter into agreements with motor carriers and/or service providers authorizing self-registration of motor vehicles. Only those carriers with vehicles registered through the Motor Carrier Division are eligible to apply to self-issue original registrations, transfer of registrations and issue temporary registrations on behalf of the Motor Carrier Division.

Eligible motor carriers and service providers will be required to file a surety bond in the amount of \$25,000 to become part of the self-issuance program. An application will be required and regulations will be drafted to allow larger carriers and/or service providers to be phased in based on fleet size.

Please click the link below to read the bill in its entirety:

[AB455](#)

**Senate Bill (SB) 199 – Weight Certificates requirements for Farmers/Ranchers**

Senate Bill 199 allows farmers and ranchers to obtain a weight certificate from a certified scale rather than from a certified public weigh master when applying for an unladen weight registration. Weight Certificates must be presented upon original registration and if there are any major changes to the equipment. Annual weight certificates at the time of renewal are no longer required.

Please click the link below to read the bill in its entirety:

[SB199](#)



**SB201 – Washoe County index tax on gasoline/gasohol and diesel fuels**

Senate Bill 201, effective January 1, 2010, annually indexes county and federal gasoline taxes based on a rolling 10-year average of the changes in the Producer Price Index (PPI) in counties whose population is 100,000 or more but less than 400,000 (currently Washoe County only). Senate Bill 201 also adds a county special fuel tax and annually index the county and federal special fuel tax by the same rolling 10-year average of the changes in the PPI in counties whose population is 100,000 or more but less than 400,000 (Washoe County only at this time). ‘Special fuel’ includes diesel, liquefied petroleum gas (LPG), compressed natural gas (CNG), and emulsion of water-based, hydrocarbon fuel (A55). Prior to passage of SB201, there was no separate county tax on special fuel.

Please click the link below to read the bill in its entirety:

[SB201](#)



**SB243- Expands Authority to Peace Officers and Local Law Enforcement to stop and weigh vehicles**

Senate Bill SB243 expands the authority to Peace Officers, as well as local law enforcement entities, to stop and weigh vehicles suspected of being over their registered gross vehicle weight. If cited, Compliance Enforcement Inspectors have the authority to refer the citation to the Motor Carrier Division Audit Unit for an audit and assessment of administrative fines in the amount of \$500 - \$2,500 for each citation. Additional registration fees authorized through AB372 will also apply.

Please click the link below to read the bill in its entirety:

[SB243](#)



### **SB332 – Ethanol and Biodiesel reporting changes**

Senate Bill 332, effective January 1, 2010, redefines ethanol, methanol, and biodiesel as a motor vehicle or special fuel upon importation and/or production within Nevada. Penalties may be assessed up to \$500,000 if discovered during an audit that a supplier is selling ethanol to a retail station that substantially exceeds the Environmental Protection Agency (EPA) requirements or alters special fuel without notifying the consumer and/or remitting the applicable taxes to the Department. Senate Bill 332 also increases the amount of administrative fines that can be assessed for using any untaxed product to modify the volume of the fuel and not remitting the tax to the Department. This change adds a specific statute stating that willfully increasing or attempting to increase the volume of special fuel without paying the tax on the additional product is a violation similar to the misuse of dyed diesel fuel with fines up to \$10,000.

Also effective January 1, 2010, special fuel use licenses will no longer be required for 100% Nevada based vehicles. Effective January 1, 2010, vehicles over 26,000 lbs traveling without IFTA authority must purchase a special fuel use permit prior to traveling in or through Nevada. Vehicles may no longer travel in Nevada to the first available vendor to purchase temporary fuel permits.

Please click the link below to read the bill in its entirety:

[SB332](#)



### **SB429 – Vehicle depreciation schedule changes**

Senate Bill 429, effective September 1, 2009, slows the depreciation factor in calculating Basic Governmental Services Tax (BGST) for motor vehicles. In addition to vehicles based in Nevada, the depreciation changes also applies to all vehicles based in other jurisdictions apportioned for travel in Nevada through the International Registration Plan (IRP). This statutory change results in an increase in the BGST paid on an annual basis for registration of all motor vehicles, which will be transmitted to the State's General Fund.

Please click the link below to read the bill in its entirety:

[SB429](#)

