
SENATE BILL NO. 343—SENATORS GOICOECHEA;
GUSTAVSON AND SETTELMAYER

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN ELLISON;
GRADY AND OSCARSON

Referred to Committee on Transportation

SUMMARY—Makes various changes relating to off-highway vehicles. (BDR 43-630)

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

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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 motor vehicles; allowing certain off-highway vehicles to be registered as motor vehicles intended for use on a highway; allowing certain off-highway vehicles to be operated on certain county roads under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, no off-highway vehicle may be registered for highway use
2 or operated on a highway except in limited circumstances. (NRS 490.090, 490.100,
3 490.110) Any off-highway vehicle that is operated on a highway under these
4 limited circumstances must be registered as an off-highway vehicle and have
5 certain required equipment. (NRS 490.120) **Sections 2-6** of this bill allow certain
6 off-highway vehicles to be registered as both: (1) motor vehicles intended for use
7 on a highway; and (2) off-highway vehicles. **Section 7** of this bill exempts any
8 owner of an off-highway vehicle who has paid a fee for the current and valid
9 registration of that off-highway vehicle as a motor vehicle intended for use on a
10 highway from paying the fee for the registration of an off-highway vehicle.
11 **Sections 3 and 8** of this bill allow certain off-highway vehicles to be operated on a
12 general county road or minor county road, unless the applicable city or county
13 prohibits such use, provided that such vehicles are registered with the Department
14 of Motor Vehicles for on-road use and have the requisite equipment for on-road
15 use. Insurance is required for every motor vehicle that is registered in this State for
16 operation on any highway in this State. (NRS 482.205, 485.185)



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

1 **Section 1.** Chapter 490 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *“Large all-terrain vehicle” means any all-terrain*
4 *vehicle that includes seating capacity for at least two people*
5 *abreast and:*

6 (a) *Total seating capacity for at least four people; or*

7 (b) *A truck bed.*

8 **Sec. 3. 1.** *Except as otherwise provided in subsection 2, a*
9 *person may operate a large all-terrain vehicle on any portion of a*
10 *highway that has been designated in accordance with NRS*
11 *403.170 as a general county road or minor county road if the large*
12 *all-terrain vehicle:*

13 (a) *Meets the requirements set forth in NRS 490.120; and*

14 (b) *Is registered by the Department in accordance with chapter*
15 *482 of NRS and section 4 of this act as a motor vehicle intended to*
16 *be operated upon the highways of this State.*

17 2. *The governing body of a city or county within which is*
18 *located a highway or portion of a highway that has been*
19 *designated in accordance with NRS 403.170 as a general county*
20 *road or minor county road may by ordinance or resolution*
21 *prohibit the operation of large all-terrain vehicles on any portion*
22 *of such a road.*

23 **Sec. 4.** *Upon the request of an owner of a large all-terrain*
24 *vehicle, the Department shall register the large all-terrain vehicle*
25 *in accordance with chapter 482 of NRS unless expressly*
26 *prohibited by federal law.*

27 **Sec. 5.** NRS 490.010 is hereby amended to read as follows:

28 490.010 As used in this chapter, unless the context otherwise
29 requires, the words and terms defined in NRS 490.020 to 490.062,
30 inclusive, *and section 2 of this act* have the meanings ascribed to
31 them in those sections.

32 **Sec. 6.** NRS 490.060 is hereby amended to read as follows:

33 490.060 1. “Off-highway vehicle” means a motor vehicle
34 that is designed primarily for off-highway and all-terrain use. The
35 term includes, but is not limited to:

36 (a) An all-terrain vehicle **H**, *including, without limitation, a*
37 *large all-terrain vehicle without regard to whether that large all-*
38 *terrain vehicle is registered by the Department in accordance with*
39 *chapter 482 of NRS and section 4 of this act as a motor vehicle*
40 *intended to be operated upon the highways of this State;*

41 (b) An all-terrain motorcycle;

42 (c) A dune buggy;



1 (d) A snowmobile; and
2 (e) Any motor vehicle used on public lands for the purpose of
3 recreation.

4 2. The term does not include:

5 (a) A motor vehicle designed primarily for use in water;

6 (b) ~~HA~~ *Except as otherwise provided in paragraph (a) of*
7 *subsection 1, a motor vehicle that is registered by the Department*
8 *HA in accordance with chapter 482 of NRS and section 4 of this act*
9 *as a motor vehicle intended to be operated upon the highways of*
10 *this State;*

11 (c) A low-speed vehicle as defined in NRS 484B.637; or

12 (d) Special mobile equipment, as defined in NRS 482.123.

13 **Sec. 7.** NRS 490.084 is hereby amended to read as follows:

14 490.084 1. The Department shall determine the fee for
15 issuing a certificate of title for an off-highway vehicle, but such
16 fee must not exceed the fee imposed for issuing a certificate of
17 title pursuant to NRS 482.429. Money received from the payment of
18 the fees described in this subsection must be deposited with the
19 State Treasurer for credit to the Revolving Account for the
20 Administration of Off-Highway Vehicle Titling and Registration
21 created by NRS 490.085.

22 2. The Commission shall determine the fee for the annual
23 registration of an off-highway vehicle, but such fee must not be less
24 than \$20 or more than \$30. Money received from the payment of the
25 fees described in this subsection must be distributed as follows:

26 (a) During the period beginning on July 1, 2012, and ending on
27 June 30, 2013:

28 (1) Eighty-five percent must be deposited with the State
29 Treasurer for credit to the Revolving Account for the Administration
30 of Off-Highway Vehicle Titling and Registration created by
31 NRS 490.085.

32 (2) To the extent that any portion of the fee for registration is
33 not for the operation of the off-highway vehicle on a highway, 15
34 percent must be deposited into the Fund.

35 (b) On or after July 1, 2013:

36 (1) Fifteen percent must be deposited with the State
37 Treasurer for credit to the Revolving Account for the Administration
38 of Off-Highway Vehicle Titling and Registration created by
39 NRS 490.085.

40 (2) To the extent that any portion of the fee for registration is
41 not for the operation of the off-highway vehicle on a highway, 85
42 percent must be deposited into the Fund.

43 **3. Any owner of a large all-terrain vehicle who has paid a fee**
44 **for the registration of the large all-terrain vehicle in accordance**
45 **with chapter 482 of NRS and section 4 of this act as a motor**



1 *vehicle intended to be operated upon the highways of this State is,*
2 *provided that such registration is current and valid, exempt from*
3 *paying the fee required by subsection 2 with respect to that large*
4 *all-terrain vehicle.*

5 **Sec. 8.** NRS 490.110 is hereby amended to read as follows:

6 490.110 1. Except as otherwise provided in subsection 2, if
7 an off-highway vehicle meets the requirements of this chapter and
8 the operator holds a valid driver's license and operates the off-
9 highway vehicle in accordance with the requirements of those
10 sections, the off-highway vehicle may be operated on a highway in
11 accordance with NRS 490.090 to 490.130, inclusive ~~1~~, *and section*
12 *3 of this act.*

13 2. An off-highway vehicle may not be operated pursuant to this
14 section:

15 (a) On an interstate highway;

16 (b) On a paved highway in this State for more than 2 miles; ~~10~~

17 (c) Unless the highway is specifically designated for use by off-
18 highway vehicles in a city whose population is 100,000 or more ~~1~~;
19 *or*

20 (d) *Unless it is a large all-terrain vehicle being operated in*
21 *accordance with section 3 of this act.*

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