NRS 487.604 "Class A certificate" defined. "Class A certificate" means a certificate issued to a licensed body shop that has been granted Class A certification status with the Department pursuant to NRS 487.652.

(Added to NRS by 2007, 3429)

NRS 487.606 "Class A certification" defined. "Class A certification" means a designation granted to a licensed body shop by the Department indicating that the body shop meets the criteria set forth in NRS 487.652 and any criteria established in regulations adopted pursuant to NRS 487.654.

(Added to NRS by 2007, 3429)

Licensing and Certification

NRS 487.630 License: Application; fee; issuance; contents; posting; inclusion of license number in certain documents; expiration; renewal. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The application must include the social security number of the applicant and must be accompanied by such proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop.

2. The Department shall charge a fee of $300 for the issuance or renewal of a license to operate a body shop. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.

3. Upon receipt of the application and the statement required pursuant to NRS 487.003 and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator.

4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs.

5. A license expires on April 30 of each year.

6. A licensee may renew his license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department;

(b) The statement required pursuant to NRS 487.003;

(c) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and

(d) The fee for renewal of a license provided in subsection 2.

(Added to NRS by 1987, 1598; A 1989, 1002, 2024; 1991, 1779; 1997, 148, 1373, 1376, 1517, 2081; 2007, 407, 1233)

NRS 487.630 License: Application; fee; issuance; contents; posting; inclusion of license number in certain documents; expiration; renewal. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The application must be accompanied by such proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop.

2. The Department shall charge a fee of $300 for the issuance or renewal of a license to operate a body shop. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.

3. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator.

4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs.

5. A license expires on April 30 of each year.

6. A licensee may renew his license by submitting to the Department:

(a) A completed application for renewal upon a form supplied by the Department;

(b) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and

(c) The fee for renewal of a license provided in subsection 2.

(Added to NRS by 1987, 1598; A 1989, 1002, 2024; 1991, 1779; 1997, 148, 1373, 1376, 1517, 2081; 1999, 457; 2007, 407, 1233, 1234, effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 487.640 Bond: Requirement; amount; application for compensation; deposits in lieu of bond.

1. No license may be issued to an operator of a body shop until he procures and files with the Department a good and sufficient bond in the amount of $10,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant shall conduct his business as an operator of a body shop without fraud or fraudulent representation, and in compliance with the provisions of NRS 487.600 to 487.690, inclusive, and 597.480 to 597.590, inclusive. The Department may, by agreement with any operator of a body shop who has been licensed by the Department for 5 years or more, allow a reduction in the amount of the bond of the operator, if the business of the operator has been conducted satisfactorily for the preceding 5 years, but no bond may be in an amount less than $1,000.

2. The bond may be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond.

3. The bond must provide that any person injured by the action of the operator of the body shop in violation of any of the provisions of NRS 487.600 to 487.690, inclusive, and 597.480 to 597.590, inclusive, may apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make the payment.

4. In lieu of a bond an operator of a body shop may deposit with the Department, under the terms prescribed by the Department:

(a) A like amount of money or bonds of the United States or of the State of Nevada of an actual market value of not less than the amount fixed by the Department; or

(b) A savings certificate of a bank, credit union or savings and loan association situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by this section and that this amount is unavailable for withdrawal except upon order of the Department. Interest earned on the certificate accrues to the account of the applicant.

5. A deposit made pursuant to subsection 4 may be disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by him to compensate a person injured by an action of the licensee, or released upon receipt of:

(a) An order of a court requiring the Director to release all or a specified portion of the deposit; or

(b) A statement signed by the person under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting the Director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested.

6. When a deposit is made pursuant to subsection 4, liability under the deposit is in the amount prescribed by the Department. If the amount of the deposit is reduced or there is an outstanding judgment of a court for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee:

(a) Files an additional bond pursuant to subsection 1;

(b) Restores the deposit with the Department to the original amount required under this section; or

(c) Satisfies the outstanding judgment for which he is liable under the deposit.

7. A deposit made pursuant to subsection 4 may be refunded:

(a) By order of the Director, 3 years after the date the licensee ceases to be licensed by the Department, if the Director is satisfied that there are no outstanding claims against the deposit; or

(b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the Department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit.

8. Any money received by the Department pursuant to subsection 4 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.

(Added to NRS by 1987, 1598; A 1989, 2043; 1993, 2347; 1999, 1505; 2007, 3413)

NRS 487.650 Denial, suspension or revocation of license or refusal to renew: Grounds; disclosure of financial records.

1. The Department may refuse to issue a license or may suspend, revoke or refuse to renew a license to operate a body shop upon any of the following grounds:

(a) Failure of the applicant or licensee to have or maintain an established place of business in this State.

(b) Conviction of the applicant or licensee or an employee of the applicant or licensee of a felony, or of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter.

(c) Any material misstatement in the application for the license.

(d) Willful failure of the applicant or licensee to comply with the motor vehicle laws of this State and NRS 487.600 to 487.690, inclusive, or 597.480 to 597.590, inclusive.

(e) Failure or refusal by the licensee to pay or otherwise discharge any final judgment against him arising out of the operation of the body shop.

(f) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 2.

(g) A finding of guilty or guilty but mentally ill by a court of competent jurisdiction in a case involving a fraudulent inspection, purchase, sale or transfer of a salvage vehicle by the applicant or licensee or an employee of the applicant or licensee.

(h) An improper, careless or negligent inspection of a salvage vehicle pursuant to NRS 487.800 by the applicant or licensee or an employee of the applicant or licensee.

(i) A false statement of material fact in a certification of a salvage vehicle pursuant to NRS 487.800 or a record regarding a salvage vehicle by the applicant or licensee or an employee of the applicant or licensee.

(j) The display of evidence of unfitness for a license pursuant to NRS 487.165.

2. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the operation of a body shop, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 487.600 to 487.690, inclusive, or to determine the suitability of an applicant or a licensee for licensure.

3. As used in this section, "salvage vehicle" has the meaning ascribed to it in NRS 487.770.

(Added to NRS by 1987, 1599; A 1989, 2045; 1997, 148; 2003, 1919; 2007, 225, 1459, 3231, 3415, 3431)

NRS 487.652 Class A certification: Eligibility. To be eligible for Class A certification, a licensed body shop must:

1. Comply with local zoning laws and possess all required local, state and federal licenses and permits.

2. Possess garagekeepers' and workers' compensation insurance.

3. Provide employees with continuing education and training in subjects and for periods of time as prescribed by regulation.

4. Have the ability to:

(a) Obtain proper specifications for each vehicle being repaired;

(b) Make three-dimensional measurements that are verified by a computer of each vehicle being repaired; and

(c) Hoist a vehicle for inspection.

5. Perform a wide range of services for vehicles being repaired, including, without limitation:

(a) Alignment of the wheels of a vehicle that is verified by a computer;

(b) Stabilization of a vehicle through the use of a four-point anchoring system;

(c) Simultaneous adjustment of the exterior and undercarriage of a vehicle;

(d) Removal and reinstallation of a frame, suspension, engine or drivetrain component;

(e) Painting the exterior of a vehicle with a system for applying paint that provides a finish similar to the finish applied by the manufacturer;

(f) Inspection of airbags and other occupant restraint devices to the specifications of the manufacturer; and

(g) Welding, by a certified technician, with a gas metal arc welder or an inverter welder, as appropriate.

6. Adhere to current federal, state and local safety requirements by:

(a) Performing repairs on an air-conditioning system using equipment approved by the United States Environmental Protection Agency;

(b) Performing repairs with emission-reducing equipment, as prescribed by regulation;

(c) Performing repairs with equipment that meets all safety requirements as prescribed by regulation; and

(d) Disposing of hazardous waste as prescribed by regulation.

7. Ensure customer satisfaction by providing to each customer:

(a) A computer-generated estimate of repairs; and

(b) A written, limited lifetime warranty that is valid against workmanship defects.

8. Have a system for documenting and maintaining customer complaints and responses to service.

(Added to NRS by 2007, 3429)

NRS 487.654 Class A certification: Regulations.

1. The Department shall adopt regulations establishing the requirements for continuing education and training required by subsection 3 of NRS 487.652.

2. The Department may adopt such regulations as it deems necessary to carry out the provisions of this section and NRS 487.652 and 487.656.

(Added to NRS by 2007, 3430)

NRS 487.656 Class A certification: Application; inspection; fee; issuance and renewal; contents of certificate; expiration.

1. An application for a Class A certification or for the renewal of such a certification must be filed with the Department upon forms supplied by the Department. The application must be accompanied by such proof as the Department requires to demonstrate that the applicant is in compliance with all criteria set forth in NRS 487.652 and any regulations adopted pursuant thereto.

2. Before a Class A certificate is issued to a licensed body shop, the Department must inspect the body shop to ensure that the body shop meets or exceeds the requirements set forth in NRS 487.652 and any regulations adopted pursuant thereto.

3. The Department shall notify a licensed body shop at least 72 hours before an inspection is performed pursuant to subsection 2.

4. The Department shall charge an application fee of $300 for the issuance or renewal of a Class A certificate which must be submitted with the application. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund.

5. Upon receipt of the application and the required fee, and when satisfied that the applicant meets or exceeds the requirements set forth in NRS 487.652 and any regulations adopted pursuant thereto, the Department must issue to the licensed body shop a Class A certificate or renew such certification. The certificate must contain the name and the address of the licensed body shop and the name of the operator of the licensed body shop.

6. A Class A certificate expires on April 30 of each year.

(Added to NRS by 2007, 3430)

NRS 487.660 Temporary suspension of or refusal to renew license or Class A certificate; notice; hearing; regulations; automatic revocation of Class A certificate under certain circumstances.

1. If the Director finds that the action is necessary in the public interest, upon notice to the licensee, he may:

(a) Temporarily suspend or refuse to renew the license to operate a body shop for not more than 30 days.

(b) Temporarily suspend or refuse to renew a Class A certificate of a licensed body shop for not more than 30 days.

2. The Department shall conduct a hearing and issue a final decision on the matter within 30 days after it sends notice of the temporary suspension of a license or a Class A certificate, or both.

3. The Department shall adopt regulations:

(a) Prescribing the circumstances under which the Department may suspend or refuse to renew a Class A certificate; and

(b) Providing an appeals process for an operator of a licensed body shop whose Class A certificate has been suspended or has not been renewed.

4. A Class A certificate must be automatically revoked by the Department if the license to operate the body shop is suspended or revoked pursuant to NRS 487.650.

(Added to NRS by 1987, 1599; A 2007, 3432)

NRS 487.670 Subpoenas. In any hearing conducted by the Department concerning the licensing of body shops, the Director may issue subpoenas for the attendance of witnesses and the production of evidence.

(Added to NRS by 1987, 1600)

NRS 487.680 Licensee to inform Department of changes concerning operation of body shop; books and records.

1. Any person licensed to operate a body shop shall inform the Department of the location of each place at which he conducts his business and the name under which he does business at each location.

2. If a licensee does business at more than one location, he shall designate one location as his principal place of business.

3. If a licensee changes the name or location of any of his established places of business, he shall notify the Department of the change within 10 days after the change.

4. Every licensee shall keep his books and records at his principal place of business and shall permit any authorized agent of the Director to inspect them during usual business hours. The records must include the year, make, model and identification number of each motor vehicle which the body shop repairs, and the source of the parts purchased or otherwise acquired for the repair of each vehicle.

(Added to NRS by 1987, 1600)

NRS 487.685 On-line survey: Completion by body shop; form; contents; availability to public.

1. A body shop licensed in this State must complete an on-line survey within 60 days immediately preceding the date of the submission of the application for renewal of the license of the body shop.

2. The Department shall conduct the survey by providing a form on its website or other Internet site to be completed by each body shop and submitted electronically to the Department.

3. Each survey must include, without limitation:

(a) The name and address of the body shop;

(b) The labor rate charged by the body shop; and

(c) Any other information the Department deems necessary.

4. The information obtained from each survey must be available to the public on-line not more than 30 days after the renewal of the body shop's license.

(Added to NRS by 2007, 406)

NRS 487.686 On-line survey: Compilation of results; contents of report; availability to public.

1. The Department must compile the results of each survey completed pursuant to NRS 487.685 in a report which must be made available to the public on-line. The report must include, without limitation:

(a) The names and addresses of all body shops that complete the survey;

(b) The prevailing labor rate for body shops in a specific geographic area as established by the Department; and

(c) Any other information the Department deems necessary.

2. As used in this section, "prevailing labor rate" means the average labor rate reported in the survey in a specific geographic area.

(Added to NRS by 2007, 406)

NRS 487.687 Verification of licensure by way of Internet. The Department shall provide a method on its website or other Internet site by which a person may verify the license of a body shop.

(Added to NRS by 2007, 407)