



LEGAL BRIEF

VEHICLE REGISTRATION AND DRIVER'S LICENSE

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REGISTRATION AND DRIVER'S LICENSE REQUIREMENTS IN NEVADA

Section I of this handout addresses when and if a non-resident military member and his or her spouse (or other dependents), must register a vehicle in Nevada. Section II addresses when and if a non-resident military member and his or her spouse (or other dependent) must have a Nevada driver's license. Section III addresses some car insurance issues.

Section I – Registration Requirements

I'm a military member and I want to change my permanent state of residence (domicile) to Nevada. Do I have to register my vehicle in Nevada?

Yes, if you are a military member who claims Nevada as your state of residence for pay purposes, then you must register your vehicle in Nevada within 60 days of becoming a resident, at the time you obtain a Nevada driver's license, or before your out-of-state registration expires.

I'm a military member and I do not claim Nevada as my permanent state of residence (domicile) for pay or any other purposes. Do I have to register my vehicle in Nevada?

No, if you are a military member who claims a state other than Nevada as your domicile for pay purposes, then you do not have to register your vehicle in Nevada. However, you should be prepared to present identification showing your out-of-state residency along with your military identification, if questioned. You still must have a valid vehicle registration, driver license, and insurance from your home state in order to operate vehicles in Nevada.

Can I remain a nonresident and still register my vehicle in Nevada?

Yes, you can register your vehicle in Nevada and you will qualify for a tax exemption. You can get a tax exemption form from your orderly room. If your orderly room does not have the form, you can get one at the legal office. Remember, if you want to claim Nevada as your permanent state of residence, then you do not qualify for the tax exemption. This exemption is for nonresident military members only.

I'm a military member and neither I nor my spouse claim Nevada as our permanent state of residence and I am here with my spouse and/or other dependents. Do we have to register our vehicle in Nevada?

If the vehicle is held in the name of the nonresident military member and the spouse (or other dependent), but the spouse, (or other dependent), does not have a Nevada driver's license and does not work in the state, then under the statute you do not have to register your vehicle in Nevada.

If the vehicle is held in the names of both spouses, but the spouse works in the state, then the vehicle must be registered in Nevada.

I am the spouse (or other dependent) of a military member who does not claim Nevada as his or her permanent state of residence (domicile) and the vehicle title is in my name alone. Do I have to register my vehicle?

Maybe. If you do not want to work then you do not have to register your vehicle, as you are an accompanying family member. However, if you are employed in Nevada then you must register your vehicle with the state.

I am a retiree or have left the service and I now reside in Nevada. Do I have to register my vehicle in Nevada?

All retirees or other dependents must register their vehicles in Nevada within 60 days of obtaining residency or when obtaining a Nevada driver's license, or before your out of state vehicle expires.

If you are a war veteran, a widow/er of a war vet, or are a blind or disabled vet, you can get an annual tax exemption which you may use towards your vehicle privilege tax or real property tax. To qualify, you must present proof of war service (such as your DD214 or other discharge papers) to the office of the county assessor. Clark County's county assessor's number is (702) 455-3882 for further information.

Section II – Driver's License

I am a military member and I have a valid out of state driver's license. I do not claim Nevada as my permanent state of residence (domicile). Do I have to get a Nevada driver's license?

No. If you are a military member, who claims another state as your domicile for pay purposes, then you are not required to obtain a Nevada driver's license.

I am a military member and I claim Nevada as my permanent state of residence (domicile), do I have to get a Nevada driver's license?

Yes. Nevada law allows military members to use their out-of-state driver's license while on active duty and not a resident of the state. However, that only applies if you are considered a nonresident. If you are considered a new resident then you must get a Nevada driver's license within 30 days of becoming one. If you claim a Nevada privilege, such as being a resident for tax

purposes, it is arguable that you are obtaining a privilege not available to nonresidents and are, therefore, considered a resident for the purpose of obtaining a driver's license. In any event, if you are claiming Nevada as your permanent state of residence, obtaining a driver's license is one of many factors that will support your assertion of Nevada as your domicile, if you later move out of the state.

I am the spouse and/or dependent of a military member on active duty. I currently hold an out of state license. Do I have to get a Nevada driver's license?

Maybe. For the spouse or dependent of a military member, who claims another state as his or her domicile, as long as you have a valid license, you are not required to obtain a Nevada driver's license, if you are considered a "nonresident" under Nevada law. Anyone who accepts gainful employment in the state, engages in a trade, profession, or occupation or claims they are a resident to gain privileges not ordinarily available to nonresidents of the state, is considered a resident. If you have done any of these things and are considered a resident, then you have 30 days from the day you become a resident to get a Nevada driver's license.

I am a retiree or have left the service and I have an out of state driver's license, but I live in Nevada. Do I have to get a Nevada driver's license?

Yes. You have 30 days from when you become a Nevada resident to get a Nevada driver's license.

Section III – Car Insurance

I am military member and am a new resident of Nevada. Can I use my old out-of-state address for my car insurance?

No. Unless you reside at your permanent residence address, you cannot tell your insurance company that this out-of-state address is your address. You must notify your insurance company of your current address and buy insurance for the address where you actually reside. Failure to report this may be considered fraud and may render your insurance policy void and not payable in the event of a claim. Premiums and coverage may vary from one area to another. When you PCS or retire, you cannot claim your previous address, an address of somewhere you once lived, where relatives live, etc, as where you reside. Finally, since minimum coverage requirements vary from state to state, if you claim you live in another state, you may not be carrying the statutory amount required by the state of Nevada.

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