

SENATE BILL NO. 188—SENATOR MANENDO

FEBRUARY 23, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to vehicle collisions. (BDR 43-674)

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 motor vehicles; changing the word “accident” to “crash” in reference to motor vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law includes references to motor vehicle “accidents” in many sections,
2 including, without limitation, sections dealing with the reporting of accidents, the
3 investigation of an accident by certain law enforcement officers, the preparation of
4 accident reports, the obligations of a party to an accident, the obligations of a
5 garage or repair shop to the owner of a motor vehicle that has been involved in an
6 accident, the requirements for the maintenance of liability insurance by the owner
7 or operator of a motor vehicle, the obligations of certain motor carriers involved in
8 an accident, and the obligations of the operator of a tow car upon towing a motor
9 vehicle involved in an accident. (NRS 480.360, 483.400, 484A.710, 484E.050,
10 484E.070, 484E.100, 485.185, 706.251, 706.4479) This bill changes the word
11 “accident” in such sections to “crash.” In those sections of existing law where the
12 term “accident” is intended to include both a motor vehicle crash and an accidental
13 incident of some other type, the word “accident” is amended by adding “and motor
14 vehicle crash” or “and crash.” **Section 131.3** of this bill clarifies that, for the
15 purposes of the Nevada Insurance Code, the term “crash” has the same meaning as
16 previous uses of the term “accident,” when used in reference to motor vehicles.
17 **Section 150.5** of this bill provides that the amendatory provisions of this bill shall
18 be construed as nonsubstantive and that it is not the intent of the Nevada
19 Legislature to modify any existing application, construction or interpretation of any
20 statute which has been so amended.



* S B 1 8 8 R 1 *

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

1 **Section 1.** NRS 480.360 is hereby amended to read as follows:
2 480.360 The duties of the personnel of the Nevada Highway
3 Patrol include, without limitation:

4 1. To police the public highways of this State, to enforce and to
5 aid in enforcing thereon all the traffic laws of the State of Nevada
6 and to enforce all other laws of this State when:

7 (a) In the apprehension or pursuit of an offender or suspected
8 offender;

9 (b) Making arrests for crimes committed in their presence or
10 upon or adjacent to the highways of this State; or

11 (c) Making arrests pursuant to a warrant in the officer's
12 possession or communicated to the officer.

13 2. To investigate ~~{accidents}~~ *crashes* on all primary and
14 secondary highways within the State of Nevada resulting in personal
15 injury, property damage or death, and to gather evidence to
16 prosecute any person guilty of any violation of the law contributing
17 to the happening of such ~~{an accident}~~ *a crash*.

18 3. In conjunction with the Department of Motor Vehicles, to
19 enforce the provisions of chapters 365, 366, 408, 482 to 486,
20 inclusive, 487 and 706 of NRS.

21 4. To enforce the provisions of laws and regulations relating to
22 motor carriers, the safety of their vehicles and equipment, and their
23 transportation of hazardous materials and other cargo.

24 5. To maintain the repository for information concerning
25 hazardous materials in Nevada and to carry out its duties pursuant to
26 chapter 459 of NRS concerning the transportation of hazardous
27 materials.

28 6. To perform such other duties in connection with those
29 specified in this section as may be imposed by the Director.

30 **Sec. 2.** NRS 480.600 is hereby amended to read as follows:

31 480.600 The Nevada Highway Patrol and the Investigation
32 Division of the Department shall, within 7 days after receipt of a
33 written request of a person who claims to have sustained damages as
34 a result of ~~{an accident}~~ *a crash*, or the person's legal representative
35 or insurer, and upon receipt of a reasonable fee to cover the cost of
36 reproduction, provide the person, legal representative or insurer, as
37 applicable, with a copy of the ~~{accident}~~ *crash* report and all
38 statements by witnesses and photographs in the possession or under
39 the control of the Nevada Highway Patrol or the Investigation
40 Division that concern the ~~{accident}~~ *crash*, unless:

41 1. The materials are privileged or confidential pursuant to a
42 specific statute; or



2. The ~~accident~~ *crash* involved:

- (a) The death or substantial bodily harm of a person;
- (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or
- (c) The commission of a felony.

Sec. 3. NRS 481.063 is hereby amended to read as follows:

481.063 1. The Director may charge and collect reasonable fees for official publications of the Department and from persons making use of files and records of the Department or its various divisions for a private purpose. All money so collected must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. Except as otherwise provided in subsection 6, the Director may release personal information, except a photograph, from a file or record relating to the driver's license, identification card, or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the Director.

3. Except as otherwise provided in subsections 2 and 4, the Director shall not release to any person who is not a representative of the Division of Welfare and Supportive Services of the Department of Health and Human Services or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415 or 253.220, who is not authorized to transact insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

↳ When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable, provide the requester with the requested information if the requester officially reports that the motor vehicle



1 bearing that license plate was used in a violation of NRS 205.240,
2 205.345, 205.380 or 205.445.

3 4. If a person is authorized to obtain such information pursuant
4 to a contract entered into with the Department and if such
5 information is requested for the purpose of an advisory notice
6 relating to a motor vehicle or the recall of a motor vehicle or for the
7 purpose of providing information concerning the history of a
8 vehicle, the Director may release:

9 (a) A list which includes license plate numbers combined with
10 any other information in the records or files of the Department; or

11 (b) The name, address, telephone number or any other
12 personally identifiable information if the information is requested by
13 the presentation of a license plate number.

14 5. Except as otherwise provided in subsections 2, 4 and 6 and
15 NRS 483.294, 483.855 and 483.937, the Director shall not release
16 any personal information from a file or record relating to a driver's
17 license, identification card, or title or registration of a vehicle.

18 6. Except as otherwise provided in paragraph (a) and
19 subsection 7, if a person or governmental entity provides a
20 description of the information requested and its proposed use and
21 signs an affidavit to that effect, the Director may release any
22 personal information, except a photograph, from a file or record
23 relating to a driver's license, identification card, or title or
24 registration of a vehicle for use:

25 (a) By any governmental entity, including, but not limited to,
26 any court or law enforcement agency, in carrying out its functions,
27 or any person acting on behalf of a federal, state or local
28 governmental agency in carrying out its functions. The personal
29 information may include a photograph from a file or record relating
30 to a driver's license, identification card, or title or registration of a
31 vehicle.

32 (b) In connection with any civil, criminal, administrative or
33 arbitration proceeding before any federal or state court, regulatory
34 body, board, commission or agency, including, but not limited to,
35 use for service of process, investigation in anticipation of litigation,
36 and execution or enforcement of judgments and orders, or pursuant
37 to an order of a federal or state court.

38 (c) In connection with matters relating to:

39 (1) The safety of drivers of motor vehicles;

40 (2) Safety and thefts of motor vehicles;

41 (3) Emissions from motor vehicles;

42 (4) Alterations of products related to motor vehicles;

43 (5) An advisory notice relating to a motor vehicle or the
44 recall of a motor vehicle;

45 (6) Monitoring the performance of motor vehicles;



- 1 (7) Parts or accessories of motor vehicles;
- 2 (8) Dealers of motor vehicles; or
- 3 (9) Removal of nonowner records from the original records
- 4 of motor vehicle manufacturers.

5 (d) By any insurer, self-insurer or organization that provides
6 assistance or support to an insurer or self-insurer or its agents,
7 employees or contractors, in connection with activities relating to
8 the rating, underwriting or investigation of claims or the prevention
9 of fraud.

10 (e) In providing notice to the owners of vehicles that have been
11 towed, repossessed or impounded.

12 (f) By an employer or its agent or insurer to obtain or verify
13 information relating to a holder of a commercial driver's license
14 who is employed by or has applied for employment with the
15 employer.

16 (g) By a private investigator, private patrol officer or security
17 consultant who is licensed pursuant to chapter 648 of NRS, for any
18 use permitted pursuant to this section.

19 (h) By a reporter or editorial employee who is employed by or
20 affiliated with any newspaper, press association or commercially
21 operated, federally licensed radio or television station for a
22 journalistic purpose. The Department may not make any inquiries
23 regarding the use of or reason for the information requested other
24 than whether the information will be used for a journalistic purpose.

25 (i) In connection with an investigation conducted pursuant to
26 NRS 253.0415 or 253.220.

27 (j) In activities relating to research and the production of
28 statistical reports, if the personal information will not be published
29 or otherwise redisclosed, or used to contact any person.

30 7. Except as otherwise provided in paragraph (j) of subsection
31 6, the Director shall not provide personal information to individuals
32 or companies for the purpose of marketing extended vehicle
33 warranties, and a person who requests and receives personal
34 information may sell or disclose that information only for a use
35 permitted pursuant to subsection 6. Such a person shall keep and
36 maintain for 5 years a record of:

37 (a) Each person to whom the information is provided; and

38 (b) The purpose for which that person will use the information.

39 ↪ The record must be made available for examination by the
40 Department at all reasonable times upon request.

41 8. Except as otherwise provided in subsection 2, the Director
42 may deny any use of the files and records if the Director reasonably
43 believes that the information taken may be used for an unwarranted
44 invasion of a particular person's privacy.



1 9. Except as otherwise provided in NRS 485.316, the Director
2 shall not allow any person to make use of information retrieved
3 from the system created pursuant to NRS 485.313 for a private
4 purpose and shall not in any other way release any information
5 retrieved from that system.

6 10. The Director shall not release any information relating to
7 legal presence or any other information relating to or describing
8 immigration status, nationality or citizenship from a file or record
9 relating to a request for or the issuance of a license, identification
10 card or title or registration of a vehicle to any person or to any
11 federal, state or local governmental entity for any purpose relating to
12 the enforcement of immigration laws.

13 11. The Director shall adopt such regulations as the Director
14 deems necessary to carry out the purposes of this section. In
15 addition, the Director shall, by regulation, establish a procedure
16 whereby a person who is requesting personal information may
17 establish an account with the Department to facilitate the person's
18 ability to request information electronically or by written request if
19 the person has submitted to the Department proof of employment or
20 licensure, as applicable, and a signed and notarized affidavit
21 acknowledging that the person:

22 (a) Has read and fully understands the current laws and
23 regulations regarding the manner in which information from the
24 Department's files and records may be obtained and the limited uses
25 which are permitted;

26 (b) Understands that any sale or disclosure of information so
27 obtained must be in accordance with the provisions of this section;

28 (c) Understands that a record will be maintained by the
29 Department of any information he or she requests; and

30 (d) Understands that a violation of the provisions of this section
31 is a criminal offense.

32 12. It is unlawful for any person to:

33 (a) Make a false representation to obtain any information from
34 the files or records of the Department.

35 (b) Knowingly obtain or disclose any information from the files
36 or records of the Department for any use not permitted by the
37 provisions of this chapter.

38 13. As used in this section:

39 (a) "Information relating to legal presence" means information
40 that may reveal whether a person is legally present in the United
41 States, including, without limitation, whether the driver's license
42 that a person possesses is a driver authorization card, whether the
43 person applied for a driver's license pursuant to NRS 483.290 or
44 483.291 and the documentation used to prove name, age and



1 residence that was provided by the person with his or her application
2 for a driver's license.

3 (b) "Personal information" means information that reveals the
4 identity of a person, including, without limitation, his or her
5 photograph, social security number, individual taxpayer
6 identification number, driver's license number, identification card
7 number, name, address, telephone number or information regarding
8 a medical condition or disability. The term does not include the zip
9 code of a person when separate from his or her full address,
10 information regarding vehicular ~~faceidents~~ *crashes* or driving
11 violations in which he or she has been involved or other information
12 otherwise affecting his or her status as a driver.

13 (c) "Vehicle" includes, without limitation, an off-highway
14 vehicle as defined in NRS 490.060.

15 **Sec. 4.** NRS 482.276 is hereby amended to read as follows:

16 482.276 Notwithstanding any provision of this chapter to the
17 contrary:

18 1. Any agricultural user who wishes to obtain a license plate
19 and decal to operate a farm tractor or self-propelled implement of
20 husbandry on the highways of this State may submit an application
21 to the Motor Carrier Division of the Department. Each application
22 must be made upon the appropriate form furnished by the
23 Department. The application must include a nonrefundable fee of
24 \$20.50 and evidence satisfactory to the Department that the
25 agricultural user is the holder of a policy of liability insurance which
26 provides at least \$300,000 in coverage for bodily injury and
27 property damage resulting from any single ~~facecident~~ *crash* caused
28 by the agricultural user while operating the farm tractor or self-
29 propelled implement of husbandry. As soon as practicable after
30 receiving the application, fee and evidence of insurance, the
31 Department shall issue the license plate and decal to the agricultural
32 user to affix to the farm tractor or self-propelled implement of
33 husbandry. A decal issued pursuant to this subsection expires on
34 December 31 of the year in which the Department issues the decal.
35 The license plate and decal are not transferable and must be
36 surrendered or returned to the Department within 60 days after:

37 (a) A transfer of ownership or interest in the farm tractor or self-
38 propelled implement of husbandry occurs; or

39 (b) The decal expires pursuant to this subsection and the
40 agricultural user fails to submit an application for renewal pursuant
41 to subsection 2.

42 2. An application for the renewal of a license plate and decal
43 issued pursuant to subsection 1 must be made upon the appropriate
44 form furnished by the Department. The application for renewal must
45 include a nonrefundable fee of \$10 and evidence satisfactory to the



1 Department that the agricultural user is the holder of a policy of
2 liability insurance specified in subsection 1. As soon as practicable
3 after receiving the application for renewal, fee and evidence of
4 insurance, the Department shall issue a new decal to affix to the
5 license plate. A decal issued pursuant to this subsection expires on
6 December 31 of the year in which the Department issues the decal.

7 3. A license plate issued pursuant to subsection 1 must be
8 displayed on the farm tractor or self-propelled implement of
9 husbandry in such a manner that the license plate is easily visible
10 from the rear of the farm tractor or self-propelled implement of
11 husbandry. If the license plate is lost or destroyed, the Department
12 may issue a replacement plate upon the payment of a fee of 50
13 cents. If the decal is lost or destroyed, the Department may, upon the
14 payment of the fee specified in subsection 2, issue a replacement
15 decal for the farm tractor or self-propelled implement of husbandry.

16 4. Notwithstanding any provision of chapter 445B of NRS to
17 the contrary, an agricultural user is not required to obtain a
18 certificate of compliance or vehicle inspection report concerning the
19 control of emissions from a farm tractor or self-propelled implement
20 of husbandry before obtaining a license plate and decal for or
21 operating the farm tractor or self-propelled implement of husbandry
22 pursuant to this section.

23 5. As used in this section, "agricultural user" means any person
24 who owns or operates a farm tractor or self-propelled implement of
25 husbandry specified in subsection 1 for an agricultural use. As used
26 in this subsection, "agricultural use" has the meaning ascribed to it
27 in NRS 361A.030.

28 **Sec. 5.** NRS 482.305 is hereby amended to read as follows:

29 482.305 1. The short-term lessor of a motor vehicle who
30 permits the short-term lessee to operate the vehicle upon the
31 highways, and who has not complied with NRS 482.295 insuring or
32 otherwise covering the short-term lessee against liability arising out
33 of his or her negligence in the operation of the rented vehicle in
34 limits of not less than \$15,000 for any one person injured or killed
35 and \$30,000 for any number more than one, injured or killed in any
36 one ~~accident,~~ *crash*, and against liability of the short-term lessee
37 for property damage in the limit of not less than \$10,000 for one
38 ~~accident,~~ *crash*, is jointly and severally liable with the short-term
39 lessee for any damages caused by the negligence of the latter in
40 operating the vehicle and for any damages caused by the negligence
41 of any person operating the vehicle by or with the permission of the
42 short-term lessee, except that the foregoing provisions do not confer
43 any right of action upon any passenger in the rented vehicle against
44 the short-term lessor. This section does not prevent the introduction



1 as a defense of contributory negligence to the extent to which this
2 defense is allowed in other cases.

3 2. The policy of insurance, surety bond or deposit of cash or
4 securities inures to the benefit of any person operating the vehicle
5 by or with the permission of the short-term lessee in the same
6 manner, under the same conditions and to the same extent as to the
7 short-term lessee.

8 3. The insurance policy, surety bond or deposit of cash or
9 securities need not cover any liability incurred by the short-term
10 lessee of any vehicle to any passenger in the vehicle; but the short-
11 term lessor before delivering the vehicle shall give to the short-term
12 lessee a written notice of the fact that such a policy, bond or deposit
13 does not cover the liability which the short-term lessee may incur on
14 account of his or her negligence in the operation of the vehicle to
15 any passenger in the vehicle.

16 4. When any suit or action is brought against the short-term
17 lessor under this section, the judge before whom the case is pending
18 shall hold a preliminary hearing in the absence of the jury to
19 determine whether the short-term lessor has provided insurance or a
20 surety bond or deposit of cash or securities covering the short-term
21 lessee as required by subsection 1. Whenever it appears that the
22 short-term lessor has provided insurance or a surety bond or deposit
23 of cash or securities covering the short-term lessee in the required
24 amount, the judge shall dismiss as to the short-term lessor the action
25 brought under this section.

26 **Sec. 6.** NRS 482.31525 is hereby amended to read as follows:

27 482.31525 “Estimated time for replacement” means the
28 number of hours of labor, or a fraction thereof, needed to replace the
29 damaged parts of a passenger car as set forth in a guide for
30 estimating damage caused by a ~~collision~~ *crash* generally used in
31 the business of repair of cars and commonly known as a “crash
32 book.”

33 **Sec. 7.** NRS 482.31535 is hereby amended to read as follows:

34 482.31535 1. Except as otherwise provided in NRS
35 482.3154, a short-term lessor and a short-term lessee of a passenger
36 car may agree that the lessee will be responsible for:

37 (a) Physical damage to the car, up to and including its fair
38 market value, regardless of the cause of the damage.

39 (b) Mechanical damage to the car, up to and including its fair
40 market value, resulting from:

- 41 (1) A ~~collision~~ *crash*;
- 42 (2) An impact; or
- 43 (3) Any other type of incident,

44 ↪ that is caused by a deliberate or negligent act or omission on the
45 part of the lessee.



1 (c) Loss resulting from theft of the car, up to and including its
2 fair market value, except that the lessee is presumed to have no
3 liability for any loss resulting from theft if an authorized driver:

4 (1) Has possession of the ignition key furnished by the lessor
5 or establishes that the ignition key furnished by the lessor was not in
6 the car at the time of the theft; and

7 (2) Files an official report of the theft with an appropriate
8 law enforcement agency within 24 hours after learning of the theft
9 and cooperates with the lessor and the law enforcement agency in
10 providing information concerning the theft.

11 ➔ The lessor may rebut the presumption set forth in this paragraph
12 by establishing that an authorized driver committed or aided and
13 abetted the commission of the theft.

14 (d) Physical damage to the car, up to and including its fair
15 market value, resulting from vandalism occurring after or in
16 connection with the theft of the car, except that the lessee has no
17 liability for any damage resulting from vandalism if the lessee has
18 no liability for theft pursuant to paragraph (c).

19 (e) Physical damage to the car and loss of use of the car, up to
20 \$2,500, resulting from vandalism not related to the theft of the car
21 and not caused by the lessee.

22 (f) Loss of use of the car if the lessee is liable for damage or
23 loss.

24 (g) Actual charges for towing and storage and impound fees
25 paid by the lessor if the lessee is liable for damage or loss.

26 (h) An administrative charge that includes the cost of appraisal
27 and other costs incident to the damage, loss, loss of use, repair or
28 replacement of the car.

29 2. For the purposes of this section, the fair market value must
30 be determined in the customary market for the sale of the leased
31 passenger car.

32 **Sec. 8.** NRS 482.3154 is hereby amended to read as follows:

33 482.3154 1. The total amount of the short-term lessee's
34 liability to the short-term lessor resulting from damage to a leased
35 passenger car must not exceed the sum of the following:

36 (a) The estimated cost for parts that the short-term lessor would
37 have to pay to replace damaged parts. Any discount, price reduction
38 or adjustment received by the lessor must be subtracted from the
39 estimate to the extent not already incorporated in the estimate or
40 promptly credited or refunded to the short-term lessee.

41 (b) The estimated cost of labor to replace damaged parts of the
42 passenger car, which must not exceed the product of:

43 (1) The rate of labor usually paid by the lessor to replace
44 parts of the type that were damaged; and



1 (2) The estimated time for replacement.
2 ➔ Any discount, price reduction or adjustment received by the
3 short-term lessor must be subtracted from the estimate to the extent
4 not already incorporated in the estimate or promptly credited or
5 refunded to the lessee.

6 (c) The estimated cost of labor to repair damaged parts of the
7 passenger car, which must not exceed the lesser of:

8 (1) The product of the rate for labor usually paid by the
9 short-term lessor to repair parts of the type that were damaged and
10 the estimated time for repair; or

11 (2) The sum of the costs for estimated labor and parts
12 determined pursuant to paragraphs (a) and (b) to replace the same
13 parts.

14 ➔ Any discount, price reduction or adjustment received by the
15 short-term lessor must be subtracted from the estimate to the extent
16 not already incorporated in the estimate or promptly credited or
17 refunded to the lessee.

18 (d) Except as otherwise provided in subsection 2, the loss of use
19 of the leased passenger car, which must not exceed the product of:

20 (1) The rate for the car stated in the short-term lessee's lease,
21 excluding all optional charges; and

22 (2) The total of the estimated time for replacement and the
23 estimated time for repair. For the purpose of converting the
24 estimated time for repair into the same unit of time in which the rate
25 of the lease is expressed, a day shall be deemed to consist of 8
26 hours.

27 (e) Actual charges for towing and storage and impound fees paid
28 by the short-term lessor.

29 2. Under any of the circumstances described in NRS
30 482.31555, the short-term lessor's loss of use of the passenger car
31 must not exceed the product of:

32 (a) The rate for the car stated in the short-term lessee's lease,
33 excluding all optional charges; and

34 (b) The period from the date of ~~an accident~~ *a crash* to the date
35 the car is ready to be returned to service if the lessor uses his or her
36 best efforts to repair and return the car to service as soon as
37 practicable.

38 3. An administrative charge pursuant to paragraph (h) of
39 subsection 1 of NRS 482.31535 must not exceed:

40 (a) Fifty dollars if the total estimated cost for parts and labor is
41 more than \$100 and less than or equal to \$500.

42 (b) One hundred dollars if the total estimated cost for parts and
43 labor is more than \$500 and less than or equal to \$1,500.



1 (c) One hundred and fifty dollars if the total estimated cost for
2 parts and labor is more than \$1,500.

3 ↪ No administrative charge may be imposed if the total estimated
4 cost of parts and labor is \$100 or less.

5 **Sec. 9.** NRS 482.380 is hereby amended to read as follows:

6 482.380 1. The Department may issue special motor vehicle
7 license plates from year to year to a person who has resided in the
8 State of Nevada for a period of 6 months preceding the date of
9 application for the license plates and who owns a motor vehicle
10 which is a model manufactured during or before 1915.

11 2. To administer the provisions of this section, the Department
12 may recognize the Horseless Carriage Club of Nevada as presently
13 constituted as the official Horseless Carriage Club of Nevada and to
14 designate and appoint one member of the Board of Directors of the
15 Horseless Carriage Club of Nevada to act as and be an ex officio
16 deputy of the Department and to perform the duties and functions
17 prescribed by this section without compensation, per diem
18 allowance or travel expenses.

19 3. An applicant for license plates pursuant to the provisions of
20 this section must:

21 (a) Fill out and sign an application for license plates on a form
22 prescribed and furnished by the ex officio deputy for licensing
23 antique motor vehicles.

24 (b) Present evidence of the applicant's eligibility for license
25 plates by showing, to the satisfaction of the ex officio deputy,
26 residence in this State for 6 months preceding the date of application
27 and ownership of an antique motor vehicle which is a model
28 manufactured during or before 1915.

29 (c) Present a certificate of inspection issued by a committee, or
30 member thereof, appointed by the Board of Directors of the
31 Horseless Carriage Club of Nevada verifying that the antique motor
32 vehicle is in safe and satisfactory mechanical condition, is in good
33 condition and state of repair, is well equipped and is covered by a
34 policy of insurance covering public liability and property damage
35 written by an insurance company qualified to do business in this
36 State with limits of not less than \$10,000 for each person nor less
37 than \$20,000 for each ~~accident,~~ *crash*, and not less than \$5,000 for
38 property damage and which otherwise meets the requirements of
39 chapter 485 of NRS.

40 (d) Exhibit a valid driver's license authorizing the applicant to
41 drive a motor vehicle on the highways of this State.

42 (e) Pay the fee prescribed by the laws of this State for the
43 operation of a passenger car, without regard to the weight or the
44 capacity for passengers.



1 (f) Pay such other fee as prescribed by the Board of Directors of
2 the Horseless Carriage Club of Nevada necessary to defray all cost
3 of manufacture, transportation and issuance of the special license
4 plates.

5 4. The ex officio deputy for licensing antique motor vehicles
6 shall each calendar year issue license plates, approved by the
7 Department, for each motor vehicle owned by an applicant who
8 meets the requirements of subsection 3, subject to the following
9 conditions:

10 (a) The license plates must be numbered and issued
11 consecutively each year beginning with "Horseless Carriage 1."

12 (b) The license plates must conform, as nearly as possible, to the
13 color and type of license plate issued in this State for regular
14 passenger cars.

15 (c) The special license plates issued pursuant to this section
16 must be specified, procured, transported and issued solely at the
17 expense and cost of the Horseless Carriage Club of Nevada and
18 without any expense to the State of Nevada.

19 5. The ex officio deputy for licensing antique motor vehicles
20 shall pay quarterly to the Department the prescribed fee as provided
21 in paragraph (e) of subsection 3. The fees so received must be used,
22 disbursed or deposited by the Department in the same manner as
23 provided by law for other fees for registration and licensing. All
24 other fees collected to defray expenses must be retained by the
25 Board of Directors of the Horseless Carriage Club of Nevada.

26 6. The license plates obtained pursuant to this section are in
27 lieu of the license plates otherwise provided for in this chapter and
28 are valid for the calendar year in which they are issued.

29 7. The Department shall charge and collect the following fees
30 for the issuance of these license plates, which fees are in addition to
31 all other license fees and applicable taxes:

32 (a) For the first issuance\$35

33 (b) For a renewal sticker 10

34 **Sec. 10.** NRS 483.2521 is hereby amended to read as follows:

35 483.2521 1. The Department may issue a driver's license to a
36 person who is 16 or 17 years of age if the person:

37 (a) Except as otherwise provided in subsection 2, has completed:

38 (1) A course in automobile driver education pursuant to NRS
39 389.090; or

40 (2) A course provided by a school for training drivers which
41 is licensed pursuant to NRS 483.700 to 483.780, inclusive, and
42 which complies with the applicable regulations governing the
43 establishment, conduct and scope of automobile driver education
44 adopted by the State Board of Education pursuant to NRS 389.090;



1 (b) Has at least 50 hours of supervised experience in driving a
2 motor vehicle with a restricted license, instruction permit or
3 restricted instruction permit issued pursuant to NRS 483.267,
4 483.270 or 483.280, including, without limitation, at least 10 hours
5 of experience in driving a motor vehicle during darkness;

6 (c) Submits to the Department, on a form provided by the
7 Department, a log which contains the dates and times of the hours of
8 supervised experience required pursuant to this section and which is
9 signed:

10 (1) By his or her parent or legal guardian; or

11 (2) If the person applying for the driver's license is an
12 emancipated minor, by a licensed driver who is at least 21 years of
13 age or by a licensed driving instructor,

14 who attests that the person applying for the driver's license has
15 completed the training and experience required pursuant to
16 paragraphs (a) and (b);

17 (d) Submits to the Department:

18 (1) A written statement signed by the principal of the public
19 school in which the person is enrolled or by a designee of the
20 principal and which is provided to the person pursuant to
21 NRS 392.123;

22 (2) A written statement signed by the parent or legal
23 guardian of the person which states that the person is excused from
24 compulsory attendance pursuant to NRS 392.070;

25 (3) A copy of the person's high school diploma or certificate
26 of attendance; or

27 (4) A copy of the person's certificate of general educational
28 development or an equivalent document;

29 (e) Has not been found to be responsible for a motor vehicle
30 ~~accident~~ crash during the 6 months before applying for the
31 driver's license;

32 (f) Has not been convicted of a moving traffic violation or a
33 crime involving alcohol or a controlled substance during the 6
34 months before applying for the driver's license; and

35 (g) Has held an instruction permit for not less than 6 months
36 before applying for the driver's license.

37 2. If a course described in paragraph (a) of subsection 1 is not
38 offered within a 30-mile radius of a person's residence, the person
39 may, in lieu of completing such a course as required by that
40 paragraph, complete an additional 50 hours of supervised experience
41 in driving a motor vehicle in accordance with paragraph (b) of
42 subsection 1.

43 **Sec. 11.** NRS 483.400 is hereby amended to read as follows:

44 483.400 1. The Department shall maintain files of
45 applications for licenses. Such files shall contain:



1 (a) All applications denied and on each thereof note the reasons
2 for such denial.

3 (b) All applications granted.

4 (c) The name of every licensee whose license has been
5 suspended or revoked by the Department and after each such name
6 note the reasons for such action.

7 2. The Department shall also file all ~~accident~~ crash reports
8 and abstracts of court records of convictions received by it under the
9 laws of this State, and in connection therewith maintain convenient
10 records or make suitable notations in order that an individual record
11 of each licensee showing the convictions of such licensee and the
12 traffic ~~accidents~~ crashes in which the licensee was involved shall
13 be readily ascertainable and available for the consideration of the
14 Department upon any application for renewal of license and at other
15 suitable times.

16 **Sec. 12.** NRS 483.460 is hereby amended to read as follows:

17 483.460 1. Except as otherwise provided by specific statute,
18 the Department shall revoke the license, permit or privilege of any
19 driver upon receiving a record of his or her conviction of any of the
20 following offenses, when that conviction has become final, and
21 the driver is not eligible for a license, permit or privilege to drive for
22 the period indicated:

23 (a) For a period of 3 years if the offense is:

24 (1) A violation of subsection 6 of NRS 484B.653.

25 (2) A third or subsequent violation within 7 years of NRS
26 484C.110 or 484C.120.

27 (3) A violation of NRS 484C.110 or 484C.120 resulting in a
28 felony conviction pursuant to NRS 484C.400 or 484C.410.

29 (4) A violation of NRS 484C.430 or a homicide resulting
30 from driving or being in actual physical control of a vehicle while
31 under the influence of intoxicating liquor or a controlled substance
32 or resulting from any other conduct prohibited by NRS 484C.110,
33 484C.130 or 484C.430.

34 ➤ The period during which such a driver is not eligible for a
35 license, permit or privilege to drive must be set aside during any
36 period of imprisonment and the period of revocation must resume
37 when the Department is notified pursuant to NRS 209.517 or
38 213.12185 that the person has completed the period of
39 imprisonment or that the person has been placed on residential
40 confinement or parole.

41 (b) For a period of 1 year if the offense is:

42 (1) Any other manslaughter, including vehicular
43 manslaughter as described in NRS 484B.657, resulting from the
44 driving of a motor vehicle or felony in the commission of which a



1 motor vehicle is used, including the unlawful taking of a motor
2 vehicle.

3 (2) Failure to stop and render aid as required pursuant to the
4 laws of this State in the event of a motor vehicle ~~accident~~ crash
5 resulting in the death or bodily injury of another.

6 (3) Perjury or the making of a false affidavit or statement
7 under oath to the Department pursuant to NRS 483.010 to 483.630,
8 inclusive, or pursuant to any other law relating to the ownership or
9 driving of motor vehicles.

10 (4) Conviction, or forfeiture of bail not vacated, upon three
11 charges of reckless driving committed within a period of 12 months.

12 (5) A second violation within 7 years of NRS 484C.110 or
13 484C.120 and the driver is not eligible for a restricted license during
14 any of that period.

15 (6) A violation of NRS 484B.550.

16 (c) For a period of 90 days, if the offense is a first violation
17 within 7 years of NRS 484C.110 or 484C.120.

18 2. The Department shall revoke the license, permit or privilege
19 of a driver convicted of violating NRS 484C.110 or 484C.120 who
20 fails to complete the educational course on the use of alcohol and
21 controlled substances within the time ordered by the court and shall
22 add a period of 90 days during which the driver is not eligible for a
23 license, permit or privilege to drive.

24 3. When the Department is notified by a court that a person
25 who has been convicted of a first violation within 7 years of NRS
26 484C.110 has been permitted to enter a program of treatment
27 pursuant to NRS 484C.320, the Department shall reduce by one-half
28 the period during which the person is not eligible for a license,
29 permit or privilege to drive, but shall restore that reduction in time if
30 notified that the person was not accepted for or failed to complete
31 the treatment.

32 4. The Department shall revoke the license, permit or privilege
33 to drive of a person who is required to install a device pursuant to
34 NRS 484C.460 but who operates a motor vehicle without such a
35 device:

36 (a) For 3 years, if it is his or her first such offense during the
37 period of required use of the device.

38 (b) For 5 years, if it is his or her second such offense during the
39 period of required use of the device.

40 5. A driver whose license, permit or privilege is revoked
41 pursuant to subsection 4 is not eligible for a restricted license during
42 the period set forth in paragraph (a) or (b) of that subsection,
43 whichever applies.

44 6. In addition to any other requirements set forth by specific
45 statute, if the Department is notified that a court has ordered the



1 revocation, suspension or delay in the issuance of a license pursuant
2 to title 5 of NRS, NRS 176.064, 206.330 or 392.148, chapters 484A
3 to 484E, inclusive, of NRS or any other provision of law, the
4 Department shall take such actions as are necessary to carry out the
5 court's order.

6 7. As used in this section, "device" has the meaning ascribed to
7 it in NRS 484C.450.

8 **Sec. 13.** NRS 483.470 is hereby amended to read as follows:

9 483.470 1. The Department may suspend the license of a
10 driver without preliminary hearing upon a showing by its records or
11 other sufficient evidence that the licensee:

12 (a) Has committed an offense for which mandatory revocation
13 of license is required upon conviction;

14 (b) Has been involved as a driver in any ~~accident~~ crash
15 resulting in the death or personal injury of another or serious
16 property damage;

17 (c) Is physically or mentally incompetent to drive a motor
18 vehicle;

19 (d) Has permitted an unlawful or fraudulent use of his or her
20 license;

21 (e) Has committed an offense in another state which if
22 committed in this State would be grounds for suspension or
23 revocation; or

24 (f) Has failed to comply with the conditions of issuance of a
25 restricted license.

26 2. Upon suspending the license of any person as authorized in
27 this section, the Department shall immediately notify the person in
28 writing, and upon his or her request shall afford the person an
29 opportunity for a hearing as early as practical within 20 days after
30 receipt of the request in the county wherein the person resides unless
31 the person and the Department agree that the hearing may be held in
32 some other county. The Administrator, or an authorized agent
33 thereof, may issue subpoenas for the attendance of witnesses and the
34 production of relevant books and papers, and may require a
35 reexamination of the licensee in connection with the hearing. Upon
36 the hearing, the Department shall either rescind its order of
37 suspension or, for good cause, extend the suspension of the license
38 or revoke it.

39 **Sec. 14.** NRS 483.740 is hereby amended to read as follows:

40 483.740 1. A person operating a school for training drivers
41 shall maintain liability insurance on motor vehicles used in driving
42 instruction, insuring the liability of the driving school, the
43 driving instructor and any person taking instruction, in at least the
44 following amounts:



* S B 1 8 8 R 1 *

1 (a) For bodily injury to or death of one person in any one
2 ~~accident,~~ *crash*, \$100,000;

3 (b) For bodily injury to or death of two or more persons in any
4 one ~~accident,~~ *crash*, \$300,000; and

5 (c) For damage to property of others in any one ~~accident,~~
6 *crash*, \$50,000.

7 2. Evidence of the insurance coverage in the form of a
8 certificate from the insurance carrier must be filed with the
9 Department. The certificate must stipulate that the insurance may
10 not be cancelled except upon 10 days' written notice to the
11 Department.

12 **Sec. 15.** NRS 483.900 is hereby amended to read as follows:

13 483.900 The purposes of NRS 483.900 to 483.940, inclusive,
14 are to implement the Commercial Motor Vehicle Safety Act of
15 1986, as amended, 49 U.S.C. chapter 313 (§§ 31301 et seq.), and
16 reduce or prevent commercial motor vehicle ~~accidents,~~ *crashes*,
17 fatalities and injuries by:

18 1. Permitting drivers of commercial motor vehicles to hold
19 only one license;

20 2. Providing for the disqualification of drivers of commercial
21 motor vehicles who have committed certain serious traffic violations
22 or other specified offenses;

23 3. Strengthening the licensing and testing standards for drivers
24 of commercial motor vehicles; and

25 4. Ensuring that drivers of commercial motor vehicles carrying
26 hazardous materials are qualified to operate a commercial motor
27 vehicle in accordance with all regulations pertaining to the
28 transportation of hazardous materials and have the skills and
29 knowledge necessary to respond appropriately to any emergency
30 arising out of the transportation of hazardous materials.

31 **Sec. 16.** NRS 484A.210 is hereby amended to read as follows:

32 484A.210 "Right-of-way" means the right of one vehicle or
33 pedestrian to proceed in a lawful manner in preference to another
34 vehicle or pedestrian approaching under such circumstances of
35 direction, speed and proximity as to give rise to *the* danger of
36 ~~collision,~~ *a crash* unless one grants precedence to the other.

37 **Sec. 17.** NRS 484A.400 is hereby amended to read as follows:

38 484A.400 1. The provisions of chapters 484A to 484E,
39 inclusive, of NRS are applicable and uniform throughout this State
40 on all highways to which the public has a right of access or to which
41 persons have access as invitees or licensees.

42 2. Except as otherwise provided in subsection 3 and unless
43 otherwise provided by specific statute, any local authority may enact
44 by ordinance traffic regulations which cover the same subject matter
45 as the various sections of chapters 484A to 484E, inclusive, of NRS



1 if the provisions of the ordinance are not in conflict with chapters
2 484A to 484E, inclusive, of NRS, or regulations adopted pursuant
3 thereto. It may also enact by ordinance regulations requiring the
4 registration and licensing of bicycles.

5 3. A local authority shall not enact an ordinance:

6 (a) Governing the registration of vehicles and the licensing of
7 drivers;

8 (b) Governing the duties and obligations of persons involved in
9 traffic ~~accidents,~~ *crashes*, other than the duties to stop, render aid
10 and provide necessary information;

11 (c) Providing a penalty for an offense for which the penalty
12 prescribed by chapters 484A to 484E, inclusive, of NRS is greater
13 than that imposed for a misdemeanor; or

14 (d) Requiring a permit for a vehicle, or to operate a vehicle, on a
15 highway in this State.

16 4. No person convicted or adjudged guilty or guilty but
17 mentally ill of a violation of a traffic ordinance may be charged or
18 tried in any other court in this State for the same offense.

19 **Sec. 18.** NRS 484A.660 is hereby amended to read as follows:

20 484A.660 Except for felonies and those offenses set forth in
21 paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484A.710, a
22 peace officer at the scene of a traffic ~~accident~~ *crash* may issue a
23 traffic citation, as provided in NRS 484A.630, or a misdemeanor
24 citation, as provided in NRS 171.1773, to any person involved in the
25 ~~accident~~ *crash* when, based upon personal investigation, the peace
26 officer has reasonable and probable grounds to believe that the
27 person has committed any offense pursuant to the provisions of
28 chapters 482 to 486, inclusive, or 706 of NRS in connection with the
29 ~~accident.~~ *crash*.

30 **Sec. 19.** NRS 484A.710 is hereby amended to read as follows:

31 484A.710 1. Any peace officer may, without a warrant, arrest
32 a person if the officer has reasonable cause for believing that the
33 person has committed any of the following offenses:

34 (a) Homicide by vehicle;

35 (b) A violation of NRS 484C.110 or 484C.120;

36 (c) A violation of NRS 484C.430;

37 (d) A violation of NRS 484C.130;

38 (e) Failure to stop, give information or render reasonable
39 assistance in the event of ~~an accident~~ *a crash* resulting in death or
40 personal injuries in violation of NRS 484E.010 or 484E.030;

41 (f) Failure to stop or give information in the event of ~~an~~
42 ~~accident~~ *a crash* resulting in damage to a vehicle or to other
43 property legally upon or adjacent to a highway in violation of NRS
44 484E.020 or 484E.040;

45 (g) Reckless driving;



1 (h) Driving a motor vehicle on a highway or on premises to
2 which the public has access at a time when the person's driver's
3 license has been cancelled, revoked or suspended; or

4 (i) Driving a motor vehicle in any manner in violation of the
5 restrictions imposed in a restricted license issued to the person
6 pursuant to NRS 483.490.

7 2. Whenever any person is arrested as authorized in this
8 section, the person must be taken without unnecessary delay before
9 the proper magistrate as specified in NRS 484A.750, except that in
10 the case of either of the offenses designated in paragraphs (f) and (g)
11 of subsection 1, a peace officer has the same discretion as is
12 provided in other cases in NRS 484A.730.

13 **Sec. 20.** NRS 484A.740 is hereby amended to read as follows:

14 484A.740 1. All of the provisions of chapters 484A to 484E,
15 inclusive, of NRS apply both to residents and nonresidents of this
16 State, except the special provisions in this section, which shall
17 govern in respect to nonresidents.

18 2. A peace officer at the scene of a traffic ~~accident~~ *crash* may
19 arrest without a warrant any driver of a vehicle who is a nonresident
20 of this State and who is involved in the ~~accident~~ *crash* when,
21 based upon personal investigation, the peace officer has reasonable
22 cause for believing that the person has committed any offense under
23 the provisions of chapters 484A to 484E, inclusive, of NRS in
24 connection with the ~~accident~~ *crash*, and if the peace officer has
25 reasonable cause for believing that the person will disregard a
26 written promise to appear in court.

27 3. Whenever any person is arrested under the provisions of this
28 section, the person shall be taken without unnecessary delay before
29 the proper magistrate, as specified in NRS 484A.750.

30 **Sec. 21.** NRS 484B.290 is hereby amended to read as follows:

31 484B.290 1. A person who is blind and who is on foot and
32 using a service animal or carrying a cane or walking stick white in
33 color, or white tipped with red, has the right-of-way when entering
34 or when on a highway, street or road of this State. Any driver of a
35 vehicle who approaches or encounters such a person shall yield the
36 right-of-way, come to a full stop, if necessary, and take precautions
37 before proceeding to avoid ~~accident~~ *a crash* or injury to the
38 person.

39 2. Any person who violates subsection 1 shall be punished by
40 imprisonment in the county jail for not more than 6 months or by a
41 fine of not less than \$100 nor more than \$500, or by both fine and
42 imprisonment.

43 **Sec. 22.** NRS 484B.443 is hereby amended to read as follows:

44 484B.443 1. Whenever any police officer finds a vehicle
45 standing upon a highway in violation of any of the provisions of



1 chapters 484A to 484E, inclusive, of NRS, the officer may move the
2 vehicle, or require the driver or person in charge of the vehicle to
3 move it, to a position off the paved, improved or main-traveled part
4 of the highway.

5 2. Whenever any police officer finds a vehicle unattended or
6 disabled upon any highway, bridge or causeway, or in any tunnel,
7 where the vehicle constitutes an obstruction to traffic or interferes
8 with the normal flow of traffic, the officer may provide for the
9 immediate removal of the vehicle.

10 3. Any police officer may, subject to the requirements of
11 subsection 4, remove any vehicle or part of a vehicle found on the
12 highway, or cause it to be removed, to a garage or other place of
13 safekeeping if:

14 (a) The vehicle has been involved in ~~an accident~~ *a crash* and is
15 so disabled that its normal operation is impossible or impractical
16 and the person or persons in charge of the vehicle are incapacitated
17 by reason of physical injury or other reason to such an extent as to
18 be unable to provide for its removal or custody, or are not in the
19 immediate vicinity of the disabled vehicle;

20 (b) The person driving or in actual physical control of the
21 vehicle is arrested for any alleged offense for which the officer is
22 required by law to take the person arrested before a proper
23 magistrate without unnecessary delay; or

24 (c) The person in charge of the vehicle is unable to provide for
25 its custody or removal within:

26 (1) Twenty-four hours after abandoning the vehicle on any
27 freeway, United States highway or other primary arterial highway.

28 (2) Seventy-two hours after abandoning the vehicle on any
29 other highway.

30 4. Unless a different course of action is necessary to preserve
31 evidence of a criminal offense, a police officer who wishes to have a
32 vehicle or part of a vehicle removed from a highway pursuant to
33 subsection 3 shall, in accordance with any applicable protocol such
34 as a rotational schedule regarding the selection and use of towing
35 services, cause the vehicle or part of a vehicle to be removed by a
36 tow car operator. The tow car operator shall, to the extent
37 practicable and using the shortest and most direct route, remove the
38 vehicle or part of a vehicle to the garage of the tow car operator
39 unless directed otherwise by the police officer. The tow car operator
40 is liable for any loss of or damage to the vehicle or its contents that
41 occurs while the vehicle is in the possession or control of the tow
42 car operator.

43 **Sec. 23.** NRS 484B.621 is hereby amended to read as follows:

44 484B.621 1. The State Route 159 Safety Speed Zone is
45 hereby established.



1 2. Within the State Route 159 Safety Speed Zone, the
2 Department of Transportation, in cooperation with other
3 governmental entities whose jurisdiction includes this area, shall
4 ensure that:

5 (a) The maximum speed that is allowed for vehicular traffic will
6 be set by the Director of the Department of Transportation at a level
7 which takes into consideration the safety and protection of the
8 residents of and visitors to the Red Rock Canyon National
9 Conservation Area. In setting that maximum speed, the Director of
10 the Department of Transportation shall consider, without limitation,
11 the following factors:

12 (1) Activity of bicycles and pedestrians in the area.

13 (2) Protection of the natural environment.

14 (3) History of ~~accidents and~~ crashes in the area.

15 (4) Recreational activities conducted in the area.

16 (5) The evaluation and use of measures of traffic calming
17 which will support the maximum speed that is set.

18 (6) The ability of law enforcement agencies to enforce
19 effectively the maximum speed that is set.

20 (b) Adequate signage or other forms of notice are evaluated and
21 installed to support and enhance the maximum speed that is set by
22 the Director of the Department of Transportation, as described in
23 paragraph (a).

24 3. The State Route 159 Safety Speed Zone consists of:

25 (a) Any portion of State Route 159 that is within the Red Rock
26 Canyon National Conservation Area;

27 (b) Any portion of State Route 159 that abuts or is immediately
28 adjacent to the Red Rock Canyon National Conservation Area; and

29 (c) Any portion of State Route 159 that has been designated as a
30 Scenic Byway or State Scenic Byway.

31 4. As used in this section:

32 (a) "Scenic Byway" and "State Scenic Byway" have the
33 meanings ascribed to them in the National Scenic Byways Program,
34 as issued by the Federal Highway Administration in 60 Federal
35 Register 26,759 on May 18, 1995.

36 (b) "Traffic calming" means a combination of measures and
37 techniques intended to:

38 (1) Reduce vehicular speeds;

39 (2) Promote safe and pleasant conditions for motorists,
40 bicyclists, pedestrians and residents;

41 (3) Improve the environment and usability of roadways;

42 (4) Improve real and perceived safety for nonmotorized
43 traffic; or

44 (5) Any combination of subparagraphs (1) to (4), inclusive.



1 **Sec. 24.** NRS 484C.150 is hereby amended to read as follows:

2 484C.150 1. Any person who drives or is in actual physical
3 control of a vehicle on a highway or on premises to which the public
4 has access shall be deemed to have given his or her consent to a
5 preliminary test of his or her breath to determine the concentration
6 of alcohol in his or her breath when the test is administered at the
7 direction of a police officer at the scene of a vehicle ~~accident or~~
8 ~~collision~~ *crash* or where the police officer stops a vehicle, if the
9 officer has reasonable grounds to believe that the person to be tested
10 was:

11 (a) Driving or in actual physical control of a vehicle while under
12 the influence of intoxicating liquor or a controlled substance; or

13 (b) Engaging in any other conduct prohibited by NRS 484C.110,
14 484C.120, 484C.130 or 484C.430.

15 2. If the person fails to submit to the test, the officer shall seize
16 the license or permit of the person to drive as provided in NRS
17 484C.220 and arrest the person and take him or her to a convenient
18 place for the administration of a reasonably available evidentiary
19 test under NRS 484C.160.

20 3. The result of the preliminary test must not be used in any
21 criminal action, except to show there were reasonable grounds to
22 make an arrest.

23 **Sec. 25.** NRS 484C.170 is hereby amended to read as follows:

24 484C.170 1. Any coroner, or other public official performing
25 like duties, shall in all cases in which a death has occurred as a
26 result of ~~an accident~~ *a crash* involving a motor vehicle, whether
27 the person killed is a driver, passenger or pedestrian, cause to be
28 drawn from each decedent, within 8 hours of the ~~accident~~ *crash*, a
29 blood sample to be analyzed for the presence and concentration of
30 alcohol.

31 2. The findings of the examinations are a matter of public
32 record and must be reported to the Department by the coroner or
33 other public official within 30 days after the death.

34 3. Blood-alcohol analyses are acceptable only if made by
35 laboratories licensed to perform this function.

36 **Sec. 26.** NRS 484D.470 is hereby amended to read as follows:

37 484D.470 1. Tow cars must be equipped with:

38 (a) One or more brooms, and the driver of the tow car engaged
39 to remove a disabled vehicle from the scene of ~~an accident~~ *a crash*
40 shall remove all glass and debris deposited upon the roadway by the
41 disabled vehicle which is to be towed.

42 (b) A shovel, and whenever practical the driver of the tow car
43 engaged to remove any disabled vehicle shall spread dirt upon any
44 portion of the roadway where oil or grease has been deposited by
45 the disabled vehicle.



1 (c) At least one fire extinguisher of the dry chemical or carbon
2 dioxide type, with minimum effective chemicals of no less than 5
3 pounds, with an aggregate rating of at least 10-B, C units, which
4 must bear the approval of a laboratory nationally recognized as
5 properly equipped to grant such approval.

6 2. A citation may be issued to any driver of a tow car who
7 violates any provision of paragraph (a) of subsection 1. The peace
8 officer who issues the citation shall report the violation to the
9 Nevada Highway Patrol or the sheriff of the county or the chief of
10 police of the city in which the roadway is located. If necessary, the
11 Nevada Highway Patrol, sheriff or chief of police shall cause
12 the roadway to be cleaned and shall bill the owner or operator of the
13 tow car for the costs of the cleaning. If the owner or operator does
14 not pay those costs within 30 days after receiving the bill therefor,
15 the Nevada Highway Patrol, sheriff or chief of police shall report
16 such information to the Nevada Transportation Authority, which
17 may take disciplinary action in accordance with the provisions of
18 NRS 706.449.

19 **Sec. 27.** NRS 484D.485 is hereby amended to read as follows:

20 484D.485 1. A manufacturer of a new motor vehicle which is
21 sold or leased in this State and which is equipped with an event
22 recording device shall disclose that fact in the owner's manual for
23 the vehicle. The disclosure must include, if applicable, a statement
24 that the event recording device:

25 (a) Records the direction and rate of speed at which the motor
26 vehicle travels;

27 (b) Records a history of where the motor vehicle travels;

28 (c) Records steering performance;

29 (d) Records brake performance, including, without limitation,
30 whether the brakes were applied before ~~an accident;~~ *a crash*;

31 (e) Records the status of the driver's safety belt; and

32 (f) If ~~an accident;~~ *a crash* involving the motor vehicle occurs,
33 is able to transmit information concerning the ~~accident;~~ *crash* to a
34 central communications system.

35 2. Except as otherwise provided in this section, data recorded
36 by an event recording device may not be downloaded or otherwise
37 retrieved by a person other than the registered owner of the vehicle.
38 Data recorded by an event recording device may be downloaded or
39 otherwise retrieved by a person other than the registered owner of
40 the vehicle:

41 (a) If the registered owner of the vehicle consents to the retrieval
42 of the data.

43 (b) Pursuant to the order of a court of competent jurisdiction.

44 (c) If the data is retrieved for the purpose of conducting research
45 to improve motor vehicle safety, including, without limitation,



1 conducting medical research to determine the reaction of a human
2 body to motor vehicle ~~accidents;~~ *crashes*, provided that the
3 identity of the registered owner or driver is not disclosed in
4 connection with the retrieval of that data. The disclosure of a vehicle
5 identification number pursuant to this paragraph does not constitute
6 the disclosure of the identity of the registered owner or driver of the
7 vehicle.

8 (d) If the data is retrieved by a new vehicle dealer or a garage
9 operator to diagnose, service or repair the motor vehicle.

10 (e) Pursuant to an agreement for subscription services for which
11 disclosure required by subsection 4 has been made.

12 3. A person who retrieves data from an event recording device
13 pursuant to paragraph (c) of subsection 2 shall not disclose that data
14 to any person other than a person who is conducting research
15 specified in that paragraph.

16 4. If a motor vehicle is equipped with an event recording
17 device that is able to record or transmit any information described in
18 subparagraph (2) or (6) of paragraph (a) of subsection 6 and that
19 ability is part of a subscription service for the motor vehicle, the fact
20 that the information may be recorded or transmitted must be
21 disclosed in the agreement for the subscription service.

22 5. Any person who violates the provisions of this section is
23 guilty of a misdemeanor.

24 6. As used in this section:

25 (a) "Event recording device" means a device which is installed
26 by the manufacturer of a motor vehicle and which, for the purposes
27 of retrieving data after ~~an accident;~~ *a crash* involving the motor
28 vehicle:

29 (1) Records the direction and rate of speed at which the
30 motor vehicle travels;

31 (2) Records a history of where the motor vehicle travels;

32 (3) Records steering performance;

33 (4) Records brake performance, including, without
34 limitation, whether the brakes were applied before ~~an accident;~~ *a*
35 *crash*;

36 (5) Records the status of the driver's safety belt; or

37 (6) If ~~an accident;~~ *a crash* involving the motor vehicle
38 occurs, is able to transmit information concerning the ~~accident;~~
39 *crash* to a central communications system.

40 (b) "Garage operator" has the meaning ascribed to it in
41 NRS 487.545.

42 (c) "New vehicle dealer" has the meaning ascribed to it
43 NRS 482.078.

44 (d) "Owner" means:



1 (1) A person having all the incidents of ownership, including
2 the legal title of the motor vehicle, whether or not the person lends,
3 rents or creates a security interest in the motor vehicle;

4 (2) A person entitled to possession of the motor vehicle as
5 the purchaser under a security agreement; or

6 (3) A person entitled to possession of the motor vehicle as a
7 lessee pursuant to a lease agreement if the term of the lease is more
8 than 3 months.

9 **Sec. 28.** NRS 484D.655 is hereby amended to read as follows:

10 484D.655 1. The Director of the Department of
11 Transportation:

12 (a) May, pursuant to paragraph (a) of subsection 1 of NRS
13 408.210, reduce the maximum weight limits as prescribed in NRS
14 484D.635, 484D.640 and 484D.645 on a highway under the
15 jurisdiction of the Department of Transportation, including, without
16 limitation, a bridge located on the highway, for a period of not more
17 than 180 days.

18 (b) Shall provide an informational report to the Board of
19 Directors of the Department of Transportation that describes any
20 reduction to the maximum weight limits made pursuant to paragraph
21 (a) within 60 days after the Director of the Department of
22 Transportation makes the reduction.

23 2. Except as otherwise provided in subsection 1 and NRS
24 484D.660, before the Department of Transportation reduces the
25 maximum weight limits as prescribed in NRS 484D.635, 484D.640
26 and 484D.645 on a highway or a portion of a highway under its
27 jurisdiction, the Department of Transportation shall:

28 (a) Consider:

29 (1) The average number of vehicles traveling on the highway
30 each day;

31 (2) The number of vehicles that have a declared gross weight
32 in excess of 26,000 pounds that are included in the average number
33 pursuant to subparagraph (1);

34 (3) The availability of alternate routes to the highway;

35 (4) The impact on each alternate route of increased traffic
36 consisting of vehicles that have a declared gross weight in excess of
37 26,000 pounds;

38 (5) The number of traffic ~~accidents~~ *crashes* involving a
39 vehicle that has a declared gross weight in excess of 26,000 pounds
40 on the highway in the past 5 years;

41 (6) Any projected adverse economic or environmental impact
42 resulting from reducing the maximum weight limits on the highway;
43 and

44 (7) Any other factors the Department of Transportation
45 deems appropriate; and



1 (b) Present such considerations to the Board of Directors of the
2 Department of Transportation to receive the Board's approval to
3 reduce the maximum weight limits pursuant to this section.

4 **Sec. 29.** NRS 484D.715 is hereby amended to read as follows:

5 484D.715 1. The Department of Transportation may, upon
6 application in writing, if good cause appears, issue a special or
7 multiple trip-limited time permit in writing authorizing the applicant
8 to move a manufactured or mobile home, or any other similar type
9 of vehicle or structure, in excess of the maximum width, but not
10 exceeding, except as otherwise provided in NRS 484D.720, 120
11 inches exclusive of appendages which must not extend beyond 3
12 inches on either side. The Department of Transportation may
13 establish seasonal or other limitations on the time within which the
14 home, vehicle or structure may be moved on the highways
15 indicated, and may require an undertaking or other security as may
16 be considered necessary to protect the highways and bridges from
17 injury or to provide indemnity for any injury resulting from the
18 operation. Permits for the movement of homes, vehicles or
19 structures as provided for in this section may be issued only to
20 licensed manufacturers, dealers, owners and transporters and may be
21 issued only under the following conditions:

22 (a) The power unit used to tow an overwidth home, vehicle or
23 structure having a gross weight of 18,000 pounds or less must be a
24 three-quarter-ton truck or tractor, or a truck or tractor of greater
25 power equipped with dual wheels.

26 (b) The power unit used to tow an overwidth home, vehicle or
27 structure having a gross weight in excess of 18,000 pounds must be
28 a one-and-one-half-ton, or larger, truck or tractor equipped with dual
29 wheels.

30 (c) The mobile home for which the permit is issued must
31 comply with the provisions of NRS 484D.635 relating to maximum
32 weight on axles.

33 (d) The insurer must furnish evidence of insurance verifying
34 coverage of the overwidth home, vehicle or structure in the amount
35 of \$100,000 because of bodily injury to or death of one person in
36 any one ~~accident,~~ **crash**, in the amount of \$300,000 because of
37 bodily injury to or death of two or more persons in any one
38 ~~accident,~~ **crash** and in the amount of \$50,000 because of injury to
39 or destruction of property of others in any one ~~accident,~~ **crash**.

40 2. A permit which has been issued for the movement of a
41 manufactured or mobile home, or a similar type of vehicle or
42 structure, is not valid between sunset and sunrise. The Director of
43 the Department of Transportation may establish additional
44 reasonable regulations, consistent with this section, including
45 regulations concerning the movement of such a home, vehicle or



1 structure on a Saturday, Sunday or a legal holiday, as the Director
2 considers necessary in the interest of public safety.

3 **Sec. 30.** NRS 484E.010 is hereby amended to read as follows:

4 484E.010 1. The driver of any vehicle involved in ~~{an~~
5 ~~accident}~~ *a crash* on a highway or on premises to which the public
6 has access resulting in bodily injury to or the death of a person shall
7 immediately stop his or her vehicle at the scene of the ~~{accident}~~
8 *crash* or as close thereto as possible, and shall forthwith return to
9 and in every event shall remain at the scene of the ~~{accident}~~ *crash*
10 until the driver has fulfilled the requirements of NRS 484E.030.

11 2. Every such stop must be made without obstructing traffic
12 more than is necessary.

13 3. A person failing to comply with the provisions of subsection
14 1 is guilty of a category B felony and shall be punished by
15 imprisonment in the state prison for a minimum term of not less
16 than 2 years and a maximum term of not more than 15 years and by
17 a fine of not less than \$2,000 nor more than \$5,000.

18 **Sec. 31.** NRS 484E.020 is hereby amended to read as follows:

19 484E.020 The driver of any vehicle involved in ~~{an accident}~~ *a*
20 *crash* resulting only in damage to a vehicle or other property which
21 is driven or attended by any person shall:

22 1. Immediately stop his or her vehicle at the scene of the
23 ~~{accident;}~~ *crash;* and

24 2. As soon as reasonably practicable, if the driver's vehicle is
25 obstructing traffic and can be moved safely, move the vehicle or
26 cause the vehicle to be moved to a location as close thereto as
27 possible that does not obstruct traffic and return to and remain at the
28 scene of the ~~{accident}~~ *crash* until the driver has fulfilled the
29 requirements of NRS 484E.030.

30 **Sec. 32.** NRS 484E.030 is hereby amended to read as follows:

31 484E.030 1. The driver of any vehicle involved in ~~{an~~
32 ~~accident}~~ *a crash* resulting in injury to or death of any person or
33 damage to any vehicle or other property which is driven or attended
34 by any person shall:

35 (a) Give his or her name, address and the registration number of
36 the vehicle the driver is driving, and shall upon request and if
37 available exhibit his or her license to operate a motor vehicle to any
38 person injured in such ~~{accident}~~ *crash* or to the driver or occupant
39 of or person attending any vehicle or other property damaged in
40 such ~~{accident;}~~ *crash;*

41 (b) Give such information and upon request manually surrender
42 such license to any police officer at the scene of the ~~{accident}~~ *crash*
43 or who is investigating the ~~{accident;}~~ *crash;* and

44 (c) Render to any person injured in such ~~{accident}~~ *crash*
45 reasonable assistance, including the carrying, or the making of



1 arrangements for the carrying, of such person to a physician,
2 surgeon or hospital for medical or surgical treatment if it is apparent
3 that such treatment is necessary, or if such carrying is requested by
4 the injured person.

5 2. If no police officer is present, the driver of any vehicle
6 involved in such ~~accident~~ *crash* after fulfilling all other
7 requirements of subsection 1 and NRS 484E.010, insofar as possible
8 on his or her part to be performed, shall forthwith report such
9 ~~accident~~ *crash* to the nearest office of a police authority or of the
10 Nevada Highway Patrol and submit thereto the information
11 specified in subsection 1.

12 **Sec. 33.** NRS 484E.040 is hereby amended to read as follows:

13 484E.040 The driver of any vehicle which ~~collides with or~~ is
14 involved in ~~an accident~~ *a crash* with any vehicle or other property
15 which is unattended, resulting in any damage to such other vehicle
16 or property, shall immediately stop and shall then and there locate
17 and notify the operator or owner of such vehicle or other property of
18 the name and address of the driver and owner of the vehicle striking
19 the unattended vehicle or other property or shall attach securely in a
20 conspicuous place in or on such vehicle or property a written notice
21 giving the name and address of the driver and of the owner of the
22 vehicle doing the striking.

23 **Sec. 34.** NRS 484E.050 is hereby amended to read as follows:

24 484E.050 1. The driver of a vehicle which ~~collides with or~~
25 is involved in ~~an accident~~ *a crash* with any vehicle or other
26 property which is unattended, resulting in any damage to such other
27 vehicle or property, shall immediately by the quickest means of
28 communication give notice of such ~~accident~~ *crash* to the nearest
29 office of a police authority or of the Nevada Highway Patrol.

30 2. Whenever the driver of a vehicle is physically incapable of
31 giving an immediate notice of ~~an accident~~ *a crash* as required in
32 subsection 1 and there was another occupant in the vehicle at the
33 time of the ~~accident~~ *crash* capable of doing so, such occupant shall
34 make or cause to be given the notice not given by the driver.

35 **Sec. 35.** NRS 484E.060 is hereby amended to read as follows:

36 484E.060 1. A peace officer at the scene of ~~an accident~~ *a*
37 *crash* involving a motor vehicle shall, by radio, request that the
38 information on file with the Department be checked regarding the
39 validity of the registration for each motor vehicle involved
40 in the ~~accident~~ *crash*. If the peace officer is informed that the
41 registration of a motor vehicle involved in the ~~accident~~ *crash*
42 has been suspended pursuant to any provision of chapter 485 of NRS,
43 the peace officer shall determine whether the license plates and
44 certificate of registration for the motor vehicle have been



1 surrendered as required by NRS 485.320. If the license plates and
2 certificate have not been surrendered, the peace officer shall:

3 (a) Issue a traffic citation in the manner provided in NRS
4 484A.630 charging the registered owner with a violation of NRS
5 485.320 and 485.330; and

6 (b) Without a warrant, seize and take possession of the motor
7 vehicle and cause it to be towed and impounded until the owner
8 claims it by:

9 (1) Presenting proof that the vehicle's registration has been
10 reinstated by the Department; and

11 (2) Paying the cost of the towing and impoundment.

12 2. Neither the peace officer nor the governmental entity which
13 employs the peace officer is civilly liable for any damage to the
14 vehicle that occurs after the vehicle is seized, but before the towing
15 process begins.

16 **Sec. 36.** NRS 484E.070 is hereby amended to read as follows:

17 484E.070 1. The Department shall:

18 (a) Approve the format of the forms for ~~an accident~~ *crash* reports
19 made pursuant to this section; and

20 (b) Make those forms available to persons who are required to
21 forward the reports to the Department pursuant to this section.

22 2. Except as otherwise provided in subsections 3, 4 and 5, the
23 driver of a vehicle which is in any manner involved in ~~an accident~~
24 *a crash* on a highway or on premises to which the public has access,
25 if the ~~an accident~~ *crash* results in bodily injury to or the death of any
26 person or total damage to any vehicle or item of property to an
27 apparent extent of \$750 or more, shall, within 10 days after the
28 ~~an accident~~ *crash*, forward a written or electronic report of the
29 ~~an accident~~ *crash* to the Department. Whenever damage occurs to a
30 motor vehicle, the operator shall attach to the ~~an accident~~ *crash* report
31 an estimate of repairs or a statement of the total loss from an
32 established repair garage, an insurance adjuster employed by an
33 insurer licensed to do business in this State, an adjuster licensed
34 pursuant to chapter 684A of NRS or an appraiser licensed pursuant
35 to chapter 684B of NRS. The Department may require the driver or
36 owner of the vehicle to file supplemental written or electronic
37 reports whenever the original report is insufficient in the opinion of
38 the Department.

39 3. A report is not required from any person if the ~~an accident~~
40 *crash* was investigated by a police officer pursuant to NRS
41 484E.110 and the report of the investigating officer contains:

42 (a) The name and address of the insurance company providing
43 coverage to each person involved in the ~~an accident~~ *crash*;

44 (b) The number of each policy; and

45 (c) The dates on which the coverage begins and ends.



1 4. The driver of a vehicle subject to the jurisdiction of the
2 Surface Transportation Board or the Nevada Transportation
3 Authority need not submit in his or her report the information
4 requested pursuant to subsection 3 of NRS 484E.120 until the 10th
5 day of the month following the month in which the ~~{accident}~~ *crash*
6 occurred.

7 5. A written or electronic ~~{accident}~~ *crash* report is not
8 required pursuant to this chapter from any person who is physically
9 incapable of making a report, during the period of the person's
10 incapacity. Whenever the driver is physically incapable of making a
11 written or electronic report of ~~{an accident}~~ *a crash* as required in
12 this section and the driver is not the owner of the vehicle, the owner
13 shall within 10 days after knowledge of the ~~{accident}~~ *crash* make
14 the report not made by the driver.

15 6. All written or electronic reports required in this section to be
16 forwarded to the Department by drivers or owners of vehicles
17 involved in ~~{accidents}~~ *crashes* are without prejudice to the person
18 so reporting and are for the confidential use of the Department or
19 other state agencies having use of the records for ~~{accident}~~ *crash*
20 prevention, except as otherwise provided in NRS 239.0115 and
21 except that the Department may disclose to a person involved in ~~{an~~
22 ~~accident}~~ *a crash* or to his or her insurer the identity of another
23 person involved in the ~~{accident}~~ *crash* when the person's identity is
24 not otherwise known or when the person denies having been present
25 at the ~~{accident}~~ *crash*. The Department may also disclose the name
26 of the person's insurer and the number of the person's policy.

27 7. A written or electronic report forwarded pursuant to the
28 provisions of this section may not be used as evidence in any trial,
29 civil or criminal, arising out of ~~{an accident}~~ *a crash* except that the
30 Department shall furnish upon demand of any party to such a trial,
31 or upon demand of any court, a certificate showing that a specified
32 ~~{accident}~~ *crash* report has or has not been made to the Department
33 in compliance with law, and, if the report has been made, the date,
34 time and location of the ~~{accident}~~ *crash*, the names and addresses
35 of the drivers, the owners of the vehicles involved and the
36 investigating officers. The report may be used as evidence when
37 necessary to prosecute charges filed in connection with a violation
38 of NRS 484E.080.

39 **Sec. 37.** NRS 484E.080 is hereby amended to read as follows:

40 484E.080 1. If a person willfully fails, refuses or neglects to
41 make a report of ~~{an accident}~~ *a crash* in accordance with the
42 provisions of this chapter, the person's driving privilege may be
43 suspended. Suspension action taken under this section remains in
44 effect for 1 year unless terminated by receipt of the report of the



1 ~~{accident}~~ *crash* or upon receipt of evidence that failure to report
2 was not willful.

3 2. Any person who gives information in electronic, oral or
4 written reports as required in this chapter, knowing or having reason
5 to believe that such information is false, is guilty of a gross
6 misdemeanor.

7 **Sec. 38.** NRS 484E.090 is hereby amended to read as follows:

8 484E.090 The State Registrar of Vital Statistics shall on or
9 before the 10th day of each month report in writing to the
10 Department the death of any person resulting from a vehicle
11 ~~{accident}~~ *crash*, giving the time and place of ~~{accident}~~ *the crash*
12 and the circumstances relating thereto.

13 **Sec. 39.** NRS 484E.100 is hereby amended to read as follows:

14 484E.100 The person in charge of any garage or repair shop to
15 which is brought any motor vehicle which shows evidence of having
16 been involved in ~~{an accident}~~ *a crash* and which is repaired in that
17 garage or repair shop shall maintain for 2 years a record of those
18 repairs including the:

- 19 1. Registration number of the vehicle;
- 20 2. Vehicle identification number;
- 21 3. Color of the vehicle before the repairs;
- 22 4. Location on the vehicle of the damage repaired;
- 23 5. Total amount of the damage; and
- 24 6. Name and address of the person who requested the repairs.

25 **Sec. 40.** NRS 484E.110 is hereby amended to read as follows:

26 484E.110 1. Every police officer who investigates a vehicle
27 ~~{accident}~~ *crash* of which a report must be made as required in this
28 chapter, or who otherwise prepares a written or electronic report as a
29 result of an investigation either at the time of and at the scene of the
30 ~~{accident}~~ *crash* or thereafter by interviewing the participants or
31 witnesses, shall forward a written or electronic report of the
32 ~~{accident}~~ *crash* to the Department of Public Safety within 10 days
33 after the investigation of the ~~{accident}~~ *crash*. The data collected by
34 the Department of Public Safety pursuant to this subsection must be
35 recorded in a central repository created by the Department of Public
36 Safety to track data electronically concerning vehicle ~~{accidents}~~
37 *crashes* on a statewide basis.

38 2. The written or electronic reports required to be forwarded by
39 police officers and the information contained therein are not
40 privileged or confidential.

41 3. Every sheriff, chief of police or office of the Nevada
42 Highway Patrol receiving any report required under NRS 484E.030
43 to 484E.090, inclusive, shall immediately prepare a copy thereof
44 and file the copy with the Department of Public Safety.



1 4. If a police officer investigates a vehicle ~~accident~~ crash
2 resulting in bodily injury to or the death of any person or total
3 damage to any vehicle or item of property to an apparent extent of
4 \$750 or more, the police officer shall prepare a written or electronic
5 report of the investigation.

6 5. As soon as practicable after receiving a report pursuant to
7 this section, the Department of Public Safety shall submit a copy of
8 the report to the Department of Motor Vehicles.

9 **Sec. 41.** NRS 484E.120 is hereby amended to read as follows:

10 484E.120 1. The Department of Public Safety shall prepare
11 forms for ~~accident~~ crash reports required pursuant to NRS
12 484E.110, suitable with respect to the persons required to make the
13 reports and the purposes to be served. The forms must be designed
14 to call for sufficiently detailed information to disclose with
15 reference to ~~an accident~~ a crash the cause, conditions then
16 existing, the persons and vehicles involved, the name and address of
17 the insurance company, the number of the policy providing
18 coverage and the dates on which the coverage begins and ends. The
19 Department of Public Safety shall, upon request, supply to a police
20 department, sheriff or other appropriate agency or person, the forms
21 for ~~accident~~ crash reports prepared by a police officer pursuant to
22 NRS 484E.110.

23 2. In addition to submitting a copy of a report pursuant to NRS
24 484E.110, the Department of Public Safety shall provide any
25 information required by this section which is not included
26 in the report to the Department of Motor Vehicles to enable the
27 Department of Motor Vehicles to determine whether the
28 requirements for the deposit of security under chapter 485 of NRS
29 are inapplicable. The Department of Motor Vehicles may rely upon
30 the accuracy of information supplied to a police officer by a driver
31 or owner on the form unless it has reason to believe that the
32 information is erroneous.

33 3. Every ~~accident~~ crash report required pursuant to NRS
34 484E.070 must be made on the appropriate form approved by the
35 Department of Motor Vehicles pursuant to that section and must
36 contain all the information required in the form.

37 4. Every ~~accident~~ crash report required pursuant to NRS
38 484E.110 must be made on the appropriate form approved by the
39 Department of Public Safety and must contain all the information
40 required therein unless it is not available.

41 **Sec. 42.** NRS 484E.130 is hereby amended to read as follows:

42 484E.130 The Department shall tabulate and analyze all
43 ~~accident~~ crash reports received in compliance with this chapter
44 and shall publish annually, or at more frequent intervals, statistical



1 information based thereon as to the number and circumstances of
2 vehicle ~~accidents;~~ *crashes*.

3 **Sec. 43.** NRS 485.105 is hereby amended to read as follows:

4 485.105 "Proof of financial responsibility" means proof of
5 ability to respond for the future in damages for liability, on account
6 of ~~accidents;~~ *crashes* occurring subsequent to the effective date of
7 that proof, arising out of the ownership, maintenance or use of a
8 motor vehicle, in the amounts specified in NRS 485.185.

9 **Sec. 44.** NRS 485.185 is hereby amended to read as follows:

10 485.185 Every owner of a motor vehicle which is registered or
11 required to be registered in this State shall continuously provide,
12 while the motor vehicle is present or registered in this State,
13 insurance provided by an insurance company licensed by the
14 Division of Insurance of the Department of Business and Industry
15 and approved to do business in this State:

16 1. In the amount of \$15,000 for bodily injury to or death of one
17 person in any one ~~accident;~~ *crash;*

18 2. Subject to the limit for one person, in the amount of \$30,000
19 for bodily injury to or death of two or more persons in any one
20 ~~accident;~~ *crash;* and

21 3. In the amount of \$10,000 for injury to or destruction of
22 property of others in any one ~~accident;~~ *crash,*
23 for the payment of tort liabilities arising from the maintenance or
24 use of the motor vehicle.

25 **Sec. 45.** NRS 485.190 is hereby amended to read as follows:

26 485.190 1. If, 20 days after the receipt of a report of ~~an~~
27 ~~accident;~~ *a crash* involving a motor vehicle within this State which
28 has resulted in bodily injury or death, or damage to the property of
29 any one person in excess of \$750, the Department does not have on
30 file evidence satisfactory to it that the person who would otherwise
31 be required to file security under subsection 2 has been released
32 from liability, has been finally adjudicated not to be liable or has
33 executed an acknowledged written agreement providing for the
34 payment of an agreed amount in installments with respect to all
35 claims for injuries or damages resulting from the ~~accident;~~ *crash,*
36 the Department shall upon request set the matter for a hearing as
37 provided in NRS 485.191.

38 2. The Department shall, immediately after a determination
39 adverse to an operator or owner is made in a hearing pursuant to
40 NRS 485.191, suspend the license of each operator and all
41 registrations of each owner of a motor vehicle involved in such ~~an~~
42 ~~accident;~~ *a crash,* and, if the operator is a nonresident, the privilege
43 of operating a motor vehicle within this State, and, if the owner is a
44 nonresident, the privilege of the use within this State of any motor
45 vehicle owned by him or her, unless the operator or owner, or both,



1 immediately deposit security in the sum so determined by the
2 Department at the hearing. If erroneous information is given to the
3 Department with respect to the matters set forth in paragraph (a), (b)
4 or (c) of subsection 1 of NRS 485.200, the Department shall take
5 appropriate action as provided in this section after it receives correct
6 information with respect to those matters.

7 **Sec. 46.** NRS 485.191 is hereby amended to read as follows:

8 485.191 1. Any operator or owner of a motor vehicle who
9 was involved in ~~an accident~~ *a crash* and who is not exempt from
10 the requirements of depositing security by the provisions of NRS
11 485.200, is entitled to a hearing before the Director or a
12 representative of the Director before a determination of the amount
13 of security required pursuant to NRS 485.190, and before the
14 suspension of his or her operator's license or registration as
15 provided in subsection 2 of NRS 485.190. The hearing must be held
16 in the county of residence of the operator. If the operator and owner
17 reside in different counties and the hearing would involve both of
18 them, the hearing must be held in the county which will be the most
19 convenient for the summoning of witnesses.

20 2. The owner or operator must be given at least 30 days' notice
21 of the hearing in writing with a brief explanation of the proceedings
22 to be taken against the owner or operator and the possible
23 consequences of a determination adverse to the owner or operator.

24 3. If the operator or owner desires a hearing, the owner or
25 operator shall, within 15 days, notify the Department in writing of
26 such intention. If the owner or operator does not send this notice
27 within the 15 days, he or she waives his or her right to a hearing,
28 except that, the Director may for good cause shown permit the
29 owner a later opportunity for a hearing.

30 **Sec. 47.** NRS 485.193 is hereby amended to read as follows:

31 485.193 The hearing must be held to determine:

32 1. Whether or not there is a reasonable possibility that a
33 judgment may be rendered against the owner or operator as a result
34 of the ~~accident~~ *crash* in which the owner or operator was involved
35 if the issue is brought before a court of competent jurisdiction; and

36 2. The amount of security that may be required of the operator
37 or owner to satisfy any judgment for damages that may be rendered
38 against the owner or operator.

39 **Sec. 48.** NRS 485.200 is hereby amended to read as follows:

40 485.200 1. The requirements as to security and suspension in
41 NRS 485.190 to 485.300, inclusive, do not apply:

42 (a) To the operator or owner if the operator or owner had in
43 effect at the time of the ~~accident~~ *crash* a motor vehicle liability
44 policy with respect to the motor vehicle involved in the ~~accident~~;
45 *crash*;



1 (b) To the operator if there was in effect at the time of the
2 ~~{accident}~~ *crash* a motor vehicle liability policy with respect to his
3 or her operation of any motor vehicle;

4 (c) To the operator or owner if the liability for damages of the
5 operator or owner resulting from the ~~{accident}~~ *crash* is, in the
6 judgment of the Department, covered by any other form of liability
7 insurance policy or a bond;

8 (d) To any person qualifying as a self-insurer pursuant to NRS
9 485.380, or to any person operating a motor vehicle for the self-
10 insured;

11 (e) To the operator or the owner of a motor vehicle involved in
12 ~~{an accident}~~ *a crash* wherein no injury or damage was caused to
13 the person or property of anyone other than the operator or owner;

14 (f) To the operator or the owner of a motor vehicle legally
15 parked at the time of the ~~{accident;}~~ *crash;*

16 (g) To the owner of a motor vehicle if at the time of the
17 ~~{accident}~~ *crash* the vehicle was being operated without the owner's
18 permission, express or implied, or was parked by a person who had
19 been operating the motor vehicle without permission; or

20 (h) If, before the date that the Department would otherwise
21 suspend the license and registration or nonresident's operating
22 privilege pursuant to NRS 485.190, there is filed with the
23 Department evidence satisfactory to it that the person who would
24 otherwise have to file security has been released from liability or has
25 received a determination in his or her favor at a hearing conducted
26 pursuant to NRS 485.191, or has been finally adjudicated not to be
27 liable or has executed an acknowledged written agreement
28 providing for the payment of an agreed amount in installments, with
29 respect to all claims for injuries or damages resulting from the
30 ~~{accident.}~~ *crash.*

31 2. An owner who is not the operator of the motor vehicle is not
32 exempt from the requirements as to security and suspension in NRS
33 485.190 to 485.300, inclusive, if the owner holds a motor vehicle
34 liability policy which provides coverage only when the owner is
35 operating the motor vehicle and, at the time of the ~~{accident.}~~ *crash,*
36 another person is operating the motor vehicle with the express or
37 implied permission of the owner.

38 **Sec. 49.** NRS 485.210 is hereby amended to read as follows:

39 485.210 For the purposes of NRS 485.200, a policy or bond is
40 not effective unless:

41 1. The policy or bond is subject, if the ~~{accident}~~ *crash* has
42 resulted in bodily injury or death, to a limit, exclusive of interest and
43 costs, of not less than \$15,000 because of bodily injury to or death
44 of one person in any one ~~{accident}~~ *crash* and, subject to the limit
45 for one person, to a limit of not less than \$30,000 because of bodily



1 injury to or death of two or more persons in any one ~~accident~~
2 *crash* and, if the ~~accident~~ *crash* has resulted in injury to or
3 destruction of property, to a limit of not less than \$10,000 because
4 of injury to or destruction of property of others in any one
5 ~~accident;~~ *crash*; and

6 2. The insurance company or surety company issuing that
7 policy or bond is authorized to do business in this State or, if the
8 company is not authorized to do business in this State, unless it
9 executes a power of attorney authorizing the Director to accept
10 service on its behalf of notice or process in any action upon that
11 policy or bond arising out of ~~an accident;~~ *a crash*.

12 **Sec. 50.** NRS 485.220 is hereby amended to read as follows:

13 485.220 1. The security required pursuant to NRS 485.190 to
14 485.300, inclusive, must be in such a form and amount as the
15 Department may require, but in no case in excess of the limits
16 specified in NRS 485.210 in reference to the acceptable limits of a
17 policy or bond.

18 2. The person depositing the security shall specify in writing
19 the person or persons on whose behalf the deposit is made and, at
20 any time while the deposit is in the custody of the Department or the
21 State Treasurer, the person depositing it may, in writing, amend the
22 specification of the person or persons on whose behalf the deposit is
23 made to include an additional person or persons, but a single deposit
24 of security is applicable only on behalf of persons required to
25 furnish security because of the same ~~accident;~~ *crash*.

26 **Sec. 51.** NRS 485.230 is hereby amended to read as follows:

27 485.230 1. The license, all registrations and the nonresident's
28 operating privilege suspended as provided in NRS 485.190 must
29 remain so suspended and may not be renewed nor may any license
30 or registration be issued to any such person until:

31 (a) The person deposits or there is deposited on his or her behalf
32 the security required under NRS 485.190;

33 (b) Two years have elapsed following the date of the ~~accident~~
34 *crash* and evidence satisfactory to the Department has been filed
35 with it that during that period no action for damages arising out of
36 the ~~accident~~ *crash* has been instituted; or

37 (c) Evidence satisfactory to the Department has been filed
38 with it of a release from liability, or a final adjudication of
39 nonliability, or an acknowledged written agreement, in accordance
40 with NRS 485.190.

41 2. Upon any default in the payment of any installment under
42 any acknowledged written agreement, and upon notice of the
43 default, the Department shall suspend the license and all
44 registrations or the nonresident's operating privilege of the person
45 defaulting, which may not be restored until:



1 (a) The person deposits and thereafter maintains security as
2 required under NRS 485.190 in such an amount as the Department
3 may then determine; or

4 (b) One year has elapsed following the date of default, or 2 years
5 following the date of the ~~{accident,}~~ *crash*, whichever is greater, and
6 during that period no action upon the agreement has been instituted
7 in a court in this State.

8 3. Proof of financial responsibility, as set forth in NRS
9 485.307, is an additional requirement for reinstatement of the
10 operator's license and registrations under this section. The person
11 shall maintain proof of financial responsibility for 3 years after the
12 date of reinstatement of the license in accordance with the
13 provisions of this chapter. If the person fails to do so the Department
14 shall suspend the license and registrations.

15 **Sec. 52.** NRS 485.240 is hereby amended to read as follows:

16 485.240 1. If the operator or the owner of a motor vehicle
17 involved in ~~{an accident}~~ *a crash* within this State has no license or
18 registration, or is a nonresident, the operator or owner must not be
19 allowed a license or registration until the operator or owner has
20 complied with the requirements of NRS 485.190 to 485.300,
21 inclusive, to the same extent that would be necessary if, at the time
22 of the ~~{accident,}~~ *crash*, the operator or owner had held a license
23 and registration.

24 2. When a nonresident's operating privilege is suspended
25 pursuant to NRS 485.190 or 485.230, the Department shall transmit
26 a certified copy of the record of that action to the officer in charge
27 of the issuance of licenses and registration certificates in the state in
28 which the nonresident resides, if the law of that state provides for
29 action in relation thereto similar to that provided for in subsection 3.

30 3. Upon receipt of a certification that the operating privilege of
31 a resident of this State has been suspended or revoked in any other
32 state pursuant to a law providing for its suspension or revocation for
33 failure to deposit security for the payment of judgments arising out
34 of a motor vehicle ~~{accident,}~~ *crash*, under circumstances which
35 would require the Department to suspend a nonresident's operating
36 privilege had the ~~{accident}~~ *crash* occurred in this State, the
37 Department shall suspend the license of the resident if the resident
38 was the operator, and all of his or her registrations if the resident
39 was the owner of a motor vehicle involved in that ~~{accident,}~~ *crash*.
40 The suspension must continue until the resident furnishes evidence
41 of compliance with the law of the other state relating to the deposit
42 of that security.

43 **Sec. 53.** NRS 485.250 is hereby amended to read as follows:

44 485.250 The Department may reduce the amount of security
45 ordered in any case within 6 months after the date of the ~~{accident}~~



1 *crash* if, in its judgment, the amount ordered is excessive. In case
2 the security originally ordered has been deposited, the excess
3 deposited over the reduced amount ordered must be returned to the
4 depositor or his or her personal representative forthwith,
5 notwithstanding the provisions of NRS 485.270.

6 **Sec. 54.** NRS 485.270 is hereby amended to read as follows:

7 485.270 Security deposited in compliance with the
8 requirements of this chapter is applicable only to the payment of a
9 judgment or judgments rendered against the person or persons on
10 whose behalf the deposit was made for damages arising out of the
11 ~~faceident~~ *crash* in question in an action at law, begun not later than
12 2 years after the date of the ~~faceident~~ *crash* or within 1 year after
13 the date of deposit of any security under NRS 485.230, whichever
14 period is longer, or to the payment in settlement, agreed to by the
15 depositor, of a claim or claims arising out of the ~~faceident~~ *crash*.

16 **Sec. 55.** NRS 485.280 is hereby amended to read as follows:

17 485.280 A deposit or any balance thereof must be returned to
18 the depositor or his or her personal representative:

19 1. When evidence satisfactory to the Department has been filed
20 with it that there has been a release from liability, a final
21 adjudication of nonliability or an acknowledged agreement, in
22 accordance with paragraph (h) of subsection 1 of NRS 485.200; or

23 2. If 2 years after the date of the ~~faceident~~ *crash* or 1 year after
24 the date of deposit of any security under NRS 485.230, whichever
25 period is longer, the Department is given reasonable evidence that
26 there is no action pending and no judgment rendered in such an
27 action left unpaid.

28 **Sec. 56.** NRS 485.301 is hereby amended to read as follows:

29 485.301 1. Whenever any person fails within 60 days to
30 satisfy any judgment that was entered as a result of ~~fan-accident~~ *a*
31 *crash* involving a motor vehicle, the judgment creditor or the
32 judgment creditor's attorney may forward to the Department
33 immediately after the expiration of the 60 days a certified copy of
34 the judgment.

35 2. If the defendant named in any certified copy of a judgment
36 that was entered as a result of ~~fan-accident~~ *a crash* involving a
37 motor vehicle and reported to the Department is a nonresident, the
38 Department shall transmit a certified copy of the judgment to the
39 officer in charge of the issuance of licenses and registration
40 certificates of the state in which the defendant is a resident.

41 **Sec. 57.** NRS 485.304 is hereby amended to read as follows:

42 485.304 Judgments must for the purpose of this chapter only,
43 be deemed satisfied:

44 1. When \$15,000 has been credited upon any judgment or
45 judgments rendered in excess of that amount because of bodily



1 injury to or death of one person as the result of any one ~~accident;~~
2 *crash*;

3 2. When, subject to the limit of \$15,000 because of bodily
4 injury to or death of one person, the sum of \$30,000 has been
5 credited upon any judgment or judgments rendered in excess of that
6 amount because of bodily injury to or death of two or more persons
7 as the result of any one ~~accident;~~ *crash*; or

8 3. When \$10,000 has been credited upon any judgment or
9 judgments rendered in excess of that amount because of injury to or
10 destruction of property of others as a result of any one ~~accident;~~
11 *crash*,

12 ➔ but payments made in settlement of any claims because of bodily
13 injury, death or property damage arising from a motor vehicle
14 ~~accident~~ *crash* must be credited in reduction of the amounts
15 provided for in this section.

16 **Sec. 58.** NRS 485.307 is hereby amended to read as follows:

17 485.307 1. Proof of financial responsibility, when required
18 pursuant to this title, may be given by filing:

19 (a) A certificate of financial responsibility as provided in NRS
20 485.308 or 485.309; or

21 (b) A certificate of self-insurance, as provided in NRS 485.380,
22 supplemented by an agreement by the self-insurer that, with respect
23 to ~~accidents~~ *crashes* occurring while the certificate is in force, the
24 self-insurer will pay the same judgments and in the same amounts
25 that an insurer would have been obligated to pay under an owner's
26 policy of liability insurance if it had issued such a policy to the self-
27 insurer.

28 2. Whenever the Department restores a license, permit or
29 privilege of driving a vehicle in this State which has been revoked,
30 no motor vehicle may be or continue to be registered in the name of
31 the person whose license, permit or privilege was revoked unless
32 proof of financial responsibility is furnished by that person.

33 **Sec. 59.** NRS 485.309 is hereby amended to read as follows:

34 485.309 1. The nonresident owner of a motor vehicle not
35 registered in this State or a nonresident operator of a motor vehicle
36 may give proof of financial responsibility by filing with the
37 Department a written certificate of an insurance carrier authorized to
38 transact business:

39 (a) If the insurance provides coverage for the vehicle, in the
40 state in which the motor vehicle described in the certificate is
41 registered; or

42 (b) If the insurance provides coverage for the operator only, in
43 the state in which the insured resides,

44 ➔ if the certificate otherwise conforms to the provisions of this
45 chapter.



1 2. The Department shall accept the proof upon condition that
2 the insurance carrier complies with the following provisions with
3 respect to the policies so certified:

4 (a) The insurance carrier shall execute a power of attorney
5 authorizing the Director to accept service on its behalf of notice or
6 process in any action arising out of ~~an accident~~ a crash involving a
7 motor vehicle in this State; and

8 (b) The insurance carrier shall agree in writing that the policies
9 shall be deemed to conform with the laws of this State relating to the
10 terms of liability policies for owners of motor vehicles.

11 3. If any insurance carrier not authorized to transact business in
12 this State, which has qualified to furnish proof of financial
13 responsibility, defaults in any undertakings or agreements, the
14 Department shall not thereafter accept as proof any certificate of
15 that carrier whether theretofore filed or thereafter tendered as proof,
16 as long as the default continues.

17 **Sec. 60.** NRS 485.3091 is hereby amended to read as follows:

18 485.3091 1. An owner's policy of liability insurance must:

19 (a) Designate by explicit description or by appropriate reference
20 all motor vehicles with respect to which coverage is thereby to be
21 granted; and

22 (b) Insure the person named therein and any other person, as
23 insured, using any such motor vehicle with the express or implied
24 permission of the named insured, against loss from the liability
25 imposed by law for damages arising out of the ownership,
26 maintenance or use of such motor vehicle within the United States
27 of America or the Dominion of Canada, subject to limits exclusive
28 of interest and costs, with respect to each such motor vehicle, as
29 follows:

30 (1) Because of bodily injury to or death of one person in any
31 one ~~accident~~ crash, \$15,000;

32 (2) Subject to the limit for one person, because of bodily
33 injury to or death of two or more persons in any one ~~accident~~
34 crash, \$30,000; and

35 (3) Because of injury to or destruction of property of others
36 in any one ~~accident~~ crash, \$10,000.

37 2. An operator's policy of liability insurance must insure the
38 person named as insured therein against loss from the liability
39 imposed upon the person by law for damages arising out of the
40 person's use of any motor vehicle within the same territorial limits
41 and subject to the same limits of liability as are set forth in
42 paragraph (b) of subsection 1.

43 3. A motor vehicle liability policy must state the name and
44 address of the named insured, the coverage afforded by the policy,
45 the premium charged therefor, the period of effectiveness and the



1 limits of liability, and must contain an agreement or be endorsed
2 that insurance is provided thereunder in accordance with the
3 coverage defined in this chapter as respects bodily injury and death
4 or property damage, or both, and is subject to all the provisions of
5 this chapter.

6 4. A motor vehicle liability policy need not insure any liability
7 under any workers' compensation law nor any liability on account
8 of bodily injury to or death of an employee of the insured while
9 engaged in the employment, other than domestic, of the insured, or
10 while engaged in the operation, maintenance or repair of any motor
11 vehicle owned by the insured nor any liability for damage to
12 property owned by, rented to, in charge of or transported by the
13 insured.

14 5. Every motor vehicle liability policy is subject to the
15 following provisions which need not be contained therein:

16 (a) The liability of the insurance carrier with respect to the
17 insurance required by this chapter becomes absolute whenever
18 injury or damage covered by the policy occurs. The policy may not
19 be cancelled or annulled as to such liability by any agreement
20 between the insurance carrier and the insured after the occurrence of
21 the injury or damage. No statement made by the insured or on behalf
22 of the insured and no violation of the policy defeats or voids the
23 policy.

24 (b) The satisfaction by the insured of a judgment for injury or
25 damage is not a condition precedent to the right or duty of the
26 insurance carrier to make payment on account of the injury or
27 damage.

28 (c) The insurance carrier may settle any claim covered by the
29 policy, and if such a settlement is made in good faith, the amount
30 thereof is deductible from the limits of liability specified in
31 paragraph (b) of subsection 1.

32 (d) The policy, the written application therefor, if any, and any
33 rider or endorsement which does not conflict with the provisions of
34 this chapter constitute the entire contract between the parties.

35 6. Any policy which grants the coverage required for a motor
36 vehicle liability policy may also grant any lawful coverage in excess
37 of or in addition to the coverage specified for a motor vehicle
38 liability policy, and the excess or additional coverage is not subject
39 to the provisions of this chapter.

40 7. Any motor vehicle liability policy may provide for the
41 prorating of the insurance thereunder with other valid and collectible
42 insurance.

43 8. The requirements for a motor vehicle liability policy may be
44 fulfilled by the policies of one or more insurance carriers, which
45 policies together meet those requirements.



1 9. Any binder issued pending the issuance of a motor vehicle
2 liability policy shall be deemed to fulfill the requirements for such a
3 policy.

4 **Sec. 61.** NRS 485.316 is hereby amended to read as follows:

5 485.316 1. Except as otherwise provided in subsection 2 and
6 NRS 239.0115, information which is maintained in the system
7 created pursuant to NRS 485.313 is confidential.

8 2. The Department may only disclose information which is
9 maintained in the system to:

10 (a) A state or local governmental agency for the purpose of
11 enforcing NRS 485.185, including investigating or litigating a
12 violation or alleged violation;

13 (b) An authorized insurer;

14 (c) A person:

15 (1) With whom the Department has contracted to provide
16 services relating to the system created pursuant to NRS 485.313;
17 and

18 (2) To whom the information is disclosed only pursuant to a
19 nondisclosure or confidentiality agreement which relates to the
20 information;

21 (d) A person who requests information regarding his or her own
22 status;

23 (e) The parent or legal guardian of the person about whom the
24 information is requested if the person is an unemancipated minor or
25 legally incapacitated;

26 (f) A person who has a power of attorney from the person about
27 whom the information is requested;

28 (g) A person who submits a notarized release from the person
29 about whom the information is requested which is dated no more
30 than 90 days before the date of the request; or

31 (h) A person who has suffered a loss or injury in ~~an accident~~ *a*
32 *crash* involving a motor vehicle, or the person's authorized insurer
33 or a representative of the authorized insurer, who requests:

34 (1) Information for use in the ~~accident~~ *crash* report; and

35 (2) For each motor vehicle involved in the ~~accident~~ *crash*:

36 (I) The name and address of each registered owner;

37 (II) The name of the insurer; and

38 (III) The number of the policy of liability insurance.

39 3. A person who knowingly violates the provisions of this
40 section is guilty of a category D felony and shall be punished as
41 provided in NRS 193.130.

42 4. As used in this section, "authorized insurer" has the meaning
43 ascribed to it in NRS 679A.030.



1 **Sec. 62.** NRS 485.385 is hereby amended to read as follows:
2 485.385 Whenever the Department has taken any action or has
3 failed to take any action under this chapter by reason of having
4 received erroneous information or by reason of having received no
5 information, upon receiving correct information within 2 years after
6 the date of the ~~an accident~~ *crash*, the Department shall take
7 appropriate action to carry out the purposes of this chapter. The
8 foregoing does not require the Department to reevaluate the amount
9 of any deposit required under this chapter.

10 **Sec. 63.** NRS 485.400 is hereby amended to read as follows:
11 485.400 This chapter shall not apply with respect to any
12 ~~an accident~~ *crash*, or judgment arising therefrom, or violation of the
13 motor vehicle laws of this State occurring prior to September 1,
14 1949.

15 **Sec. 64.** NRS 487.520 is hereby amended to read as follows:
16 487.520 1. Except as otherwise provided in subsection 3, if a
17 salvage vehicle is repaired or rebuilt by a garage operator or
18 operator of a body shop, the repairs or rebuilding must comply with
19 the standards published and commonly applied in the motor vehicle
20 repair industry.

21 2. Except as otherwise provided in subsection 3, if any safety
22 equipment that was present in a motor vehicle at the time it was
23 manufactured is repaired or replaced by a garage operator or
24 operator of a body shop, the equipment must be repaired or replaced
25 to the standards published and commonly applied in the motor
26 vehicle repair industry.

27 3. If a motor vehicle has been in ~~an accident~~ *a crash* and a
28 garage operator or operator of a body shop accepts or assumes
29 control of the motor vehicle to make any repair, the garage operator
30 or operator of the body shop shall:

31 (a) For a motor vehicle that is equipped with an airbag that has
32 been deployed, replace the airbag in a manner that complies with the
33 standards set forth in 49 C.F.R. § 571.208, Standard No. 208, for
34 such equipment.

35 (b) For a motor vehicle that is equipped with a seatbelt assembly
36 which requires repair or replacement, repair or replace the seatbelt
37 assembly in a manner that complies with the standards set forth in
38 49 C.F.R. § 571.209, Standard No. 209, for such equipment.

39 4. A garage operator or operator of a body shop who is
40 licensed pursuant to the provisions of this chapter who performs the
41 work required pursuant to this section shall retain a written record of
42 the work, including, without limitation, the date of the repair,
43 rebuilding or replacement, and any identifying information
44 regarding any parts or equipment used in the repair, rebuilding or
45 replacement.



1 **Sec. 65.** NRS 1A.570 is hereby amended to read as follows:

2 1A.570 1. Except as otherwise provided in subsection 3, if a
3 deceased member of the Judicial Retirement Plan had 2 years of
4 creditable service in the 2 1/2 years immediately preceding the
5 member's death, or if the employee had 10 or more years of
6 creditable service, certain of his or her dependents are eligible for
7 payments as provided in NRS 1A.530 to 1A.670, inclusive. If the
8 death of the member resulted from a mental or physical condition
9 which required the member to leave his or her position as a justice
10 of the Supreme Court, judge of the Court of Appeals, district judge,
11 justice of the peace or municipal judge or go on leave without pay,
12 eligibility pursuant to the provisions of this section extends for 18
13 months after the member's termination or commencement of leave
14 without pay.

15 2. If the death of a member of the Judicial Retirement Plan
16 occurs while the member is on leave of absence for further training
17 and if the member met the requirements of subsection 1 at the time
18 his or her leave began, certain of the member's dependents are
19 eligible for payments as provided in subsection 1.

20 3. If the death of a member of the Judicial Retirement Plan is
21 caused by an occupational disease or an accident *or motor vehicle*
22 *crash* arising out of and in the course of the member's employment,
23 no prior creditable service is required to make the member's
24 dependents eligible for payments pursuant to NRS 1A.530 to
25 1A.670, inclusive, except that this subsection does not apply to an
26 accident *or motor vehicle crash* occurring while the member is
27 traveling between the member's home and his or her principal place
28 of employment.

29 4. As used in this section, "dependent" includes a survivor
30 beneficiary designated pursuant to NRS 1A.620.

31 **Sec. 66.** NRS 7.045 is hereby amended to read as follows:

32 7.045 1. Except as otherwise provided in this section, it shall
33 be unlawful for a person, in exchange for compensation, to solicit a
34 tort victim to employ, hire or retain any attorney at law:

35 (a) At the scene of a traffic ~~accident~~ *crash* that may result in a
36 civil action; or

37 (b) At a county or city jail or detention facility.

38 2. It is unlawful for a person to conspire with another person to
39 commit an act which violates the provisions of subsection 1.

40 3. This section does not prohibit or restrict:

41 (a) A recommendation for the employment, hiring or retention
42 of an attorney at law in a manner that complies with the Nevada
43 Rules of Professional Conduct.

44 (b) The solicitation of motor vehicle repair or storage services
45 by a tow car operator.



1 (c) Any activity engaged in by police, fire or emergency medical
2 personnel acting in the normal course of duty.

3 (d) A communication by a tort victim with the tort victim's
4 insurer concerning the investigation of a claim or settlement of a
5 claim for property damage.

6 (e) Any inquiries or advertisements performed in the ordinary
7 course of a person's business.

8 4. A tort victim may void any contract, agreement or obligation
9 that is made, obtained, procured or incurred in violation of this
10 section.

11 5. Any person who violates any of the provisions of this
12 section is guilty of a misdemeanor.

13 6. As used in this section, "tort victim" means a person:

14 (a) Whose property has been damaged as a result of any accident
15 *or motor vehicle crash* that may result in a civil action, criminal
16 action or claim for tort damages by or against another person;

17 (b) Who has been injured or killed as a result of any accident *or*
18 *motor vehicle crash* that may result in a civil action, criminal action
19 or claim for tort damages by or against another person; or

20 (c) A parent, guardian, spouse, sibling or child of a person who
21 has died as a result of any accident *or motor vehicle crash* that may
22 result in a civil action, criminal action or claim for tort damages by
23 or against another person.

24 **Sec. 67.** NRS 14.070 is hereby amended to read as follows:

25 14.070 1. The use and operation of a motor vehicle over the
26 public roads, streets or highways, or in any other area open to the
27 public and commonly used by motor vehicles, in the State of
28 Nevada by any person, either as principal, master, agent or servant,
29 shall be deemed an appointment by the operator, on behalf of the
30 operator and the operator's principal, master, executor,
31 administrator or personal representative, of the Director of the
32 Department of Motor Vehicles to be his or her true and lawful
33 attorney upon whom may be served all legal process in any action or
34 proceeding against the operator or the operator's principal, master,
35 executor, administrator or personal representative, growing out of
36 such use or resulting in damage or loss to person or property, and
37 the use or operation signifies his or her agreement that any process
38 against him or her which is so served has the same legal force and
39 validity as though served upon him or her personally within the
40 State of Nevada.

41 2. Service of process must be made by leaving a copy of the
42 process with a fee of \$5 in the hands of the Director of the
43 Department of Motor Vehicles or in the office of the Director, and
44 the service shall be deemed sufficient upon the operator if notice of
45 service and a copy of the process is sent by registered or certified



1 mail by the plaintiff to the defendant at the address supplied by the
2 defendant in the defendant's ~~accident~~ crash report, if any, and if
3 not, at the best address available to the plaintiff, and a return receipt
4 signed by the defendant or a return of the United States Postal
5 Service stating that the defendant refused to accept delivery or could
6 not be located, or that the address was insufficient, and the
7 plaintiff's affidavit of compliance therewith are attached to the
8 original process and returned and filed in the action in which it was
9 issued. Personal service of notice and a copy of the process upon the
10 defendant, wherever found outside of this state, by any person
11 qualified to serve like process in the State of Nevada is the
12 equivalent of mailing, and may be proved by the affidavit of the
13 person making the personal service appended to the original process
14 and returned and filed in the action in which it was issued.

15 3. The court in which the action is pending may order such
16 continuances as may be necessary to afford the defendant reasonable
17 opportunity to defend the action.

18 4. The fee of \$5 paid by the plaintiff to the Director of the
19 Department of Motor Vehicles at the time of the service must be
20 taxed in the plaintiff's costs if the plaintiff prevails in the suit. The
21 Director of the Department of Motor Vehicles shall keep a record of
22 all service of process, including the day and hour of service.

23 5. The foregoing provisions of this section with reference to
24 the service of process upon an operator defendant are not exclusive,
25 except if the operator defendant is found within the State of Nevada,
26 the operator defendant must be served with process in the State of
27 Nevada.

28 6. The provisions of this section apply to nonresident motorists
29 and to resident motorists who have left the State or cannot be found
30 within the State following ~~an accident~~ a crash which is the subject
31 of an action for which process is served pursuant to this section.

32 **Sec. 68.** NRS 41.200 is hereby amended to read as follows:

33 41.200 1. If an unemancipated minor has a disputed claim for
34 money against a third person, either parent, or if the parents of the
35 minor are living separate and apart, then the custodial parent, or if
36 no custody award has been made, the parent with whom the minor is
37 living, or if a general guardian or guardian of the estate of the minor
38 has been appointed, then that guardian, has the right to compromise
39 the claim. Such a compromise is not effective until it is approved by
40 the district court of the county where the minor resides, or if the
41 minor is not a resident of the State of Nevada, then by the district
42 court of the county where the claim was incurred, upon a verified
43 petition in writing, regularly filed with the court.

44 2. The petition must set forth:

45 (a) The name, age and residence of the minor;



1 (b) The facts which bring the minor within the purview of this
2 section, including:

3 (1) The circumstances which make it a disputed claim for
4 money;

5 (2) The name of the third person against whom the claim is
6 made; and

7 (3) If the claim is the result of an accident **H** or motor
8 **vehicle crash**, the date, place and facts of the accident **H** or motor
9 **vehicle crash**;

10 (c) The names and residence of the parents or the legal guardian
11 of the minor;

12 (d) The name and residence of the person or persons having
13 physical custody or control of the minor;

14 (e) The name and residence of the petitioner and the relationship
15 of the petitioner to the minor;

16 (f) The total amount of the proceeds of the proposed
17 compromise and the apportionment of those proceeds, including the
18 amount to be used for:

19 (1) Attorney's fees and whether the attorney's fees are fixed
20 or contingent fees, and if the attorney's fees are contingent fees the
21 percentage of the proceeds to be paid as attorney's fees;

22 (2) Medical expenses; and

23 (3) Other expenses,

24 ↪ and whether these fees and expenses are to be deducted before or
25 after the calculation of any contingency fee;

26 (g) Whether the petitioner believes the acceptance of this
27 compromise is in the best interest of the minor; and

28 (h) That the petitioner has been advised and understands that
29 acceptance of the compromise will bar the minor from seeking
30 further relief from the third person offering the compromise.

31 3. If the claim involves a personal injury suffered by the minor,
32 the petitioner must submit all relevant medical and health care
33 records to the court at the compromise hearing. The records must
34 include documentation of:

35 (a) The injury, prognosis, treatment and progress of recovery of
36 the minor; and

37 (b) The amount of medical expenses incurred to date, the nature
38 and amount of medical expenses which have been paid and by
39 whom, any amount owing for medical expenses and an estimate of
40 the amount of medical expenses which may be incurred in the
41 future.

42 4. If the court approves the compromise of the claim of the
43 minor, the court must direct the money to be paid to the father,
44 mother or guardian of the minor, with or without the filing of any
45 bond, or it must require a general guardian or guardian ad litem to



1 be appointed and the money to be paid to the guardian or guardian
2 ad litem, with or without a bond, as the court, in its discretion,
3 deems to be in the best interests of the minor.

4 5. Upon receiving the proceeds of the compromise, the parent
5 or guardian to whom the proceeds of the compromise are ordered to
6 be paid, shall establish a blocked financial investment for the benefit
7 of the minor with the proceeds of the compromise. Money may be
8 obtained from the blocked financial investment only pursuant to
9 subsection 6. Within 30 days after receiving the proceeds of the
10 compromise, the parent or guardian shall file with the court proof
11 that the blocked financial investment has been established. If the
12 balance of the investment is more than \$10,000, the parent, guardian
13 or person in charge of managing the investment shall annually file
14 with the court a verified report detailing the activities of the
15 investment during the previous 12 months. If the balance of the
16 investment is \$10,000 or less, the court may order the parent,
17 guardian or person in charge of managing the investment to file such
18 periodic verified reports as the court deems appropriate. The court
19 may hold a hearing on a verified report only if it deems a hearing
20 necessary to receive an explanation of the activities of the
21 investment.

22 6. The beneficiary of a block financial investment may obtain
23 control of or money from the investment:

24 (a) By an order of the court which held the compromise hearing;
25 or

26 (b) By certification of the court which held the compromise
27 hearing that the beneficiary has reached the age of 18 years, at
28 which time control of the investment must be transferred to the
29 beneficiary or the investment must be closed and the money
30 distributed to the beneficiary.

31 7. The clerk of the district court shall not charge any fee for
32 filing a petition for leave to compromise or for placing the petition
33 upon the calendar to be heard by the court.

34 8. As used in this section, the term "blocked financial
35 investment" means a savings account established in a depository
36 institution in this state, a certificate of deposit, a United States
37 savings bond, a fixed or variable annuity contract, or another
38 reliable investment that is approved by the court.

39 **Sec. 69.** NRS 178.750 is hereby amended to read as follows:

40 178.750 1. The district attorney for each county shall prepare
41 and submit a report, on a form approved by the Attorney General, to
42 the Attorney General not later than February 1 of each year
43 concerning each case filed during the previous calendar year that
44 included a charge for murder or voluntary manslaughter. The district
45 attorney shall exclude from the report any charge for manslaughter



1 that resulted from a death in ~~{an accident or collision}~~ *a crash*
2 involving a motor vehicle.

3 2. The report required pursuant to subsection 1 must include,
4 without limitation:

5 (a) The age, gender and race of the defendant;

6 (b) The age, gender and race of any codefendant or other person
7 charged or suspected of having participated in the homicide and in
8 any alleged related offense;

9 (c) The age, gender and race of the victim of the homicide and
10 any alleged related offense;

11 (d) The date of the homicide and of any alleged related offense;

12 (e) The date of filing of the information or indictment;

13 (f) The name of each court in which the case was prosecuted;

14 (g) Whether or not the prosecutor filed a notice of intent to seek
15 the death penalty and, if so, when the prosecutor filed the notice;

16 (h) The final disposition of the case and whether or not the case
17 was tried before a jury;

18 (i) The race, ethnicity and gender of each member of the jury, if
19 the case was tried by a jury; and

20 (j) The identity of:

21 (1) Each prosecuting attorney who participated in the
22 decision to file the initial charges against the defendant;

23 (2) Each prosecuting attorney who participated in the
24 decision to offer or accept a plea, if applicable;

25 (3) Each prosecuting attorney who participated in the
26 decision to seek the death penalty, if applicable; and

27 (4) Each person outside the office of the district attorney who
28 was consulted in determining whether to seek the death penalty or to
29 accept or reject a plea, if any.

30 3. If all the information required pursuant to subsection 1
31 cannot be provided because the case is still in progress, an
32 additional report must be filed with the Attorney General each time
33 a subsequent report is filed until all the information, to the extent
34 available, has been provided.

35 **Sec. 70.** NRS 217.070 is hereby amended to read as follows:

36 217.070 "Victim" means:

37 1. A person who is physically injured or killed as the direct
38 result of a criminal act;

39 2. A minor who was involved in the production of pornography
40 in violation of NRS 200.710, 200.720, 200.725 or 200.730;

41 3. A minor who was sexually abused, as "sexual abuse" is
42 defined in NRS 432B.100;

43 4. A person who is physically injured or killed as the direct
44 result of a violation of NRS 484C.110 or any act or neglect of duty
45 punishable pursuant to NRS 484C.430 or 484C.440;



1 5. A pedestrian who is physically injured or killed as the direct
2 result of a driver of a motor vehicle who failed to stop at the scene
3 of ~~an accident;~~ *a crash* involving the driver and the pedestrian in
4 violation of NRS 484E.010;

5 6. An older person who is abused, neglected, exploited or
6 isolated in violation of NRS 200.5099 or 200.50995;

7 7. A resident who is physically injured or killed as the direct
8 result of an act of international terrorism as defined in 18 U.S.C. §
9 2331(1); or

10 8. A person who is trafficked in violation of subsection 2 of
11 NRS 201.300.

12 ➔ The term includes a person who was harmed by any of these acts
13 whether the act was committed by an adult or a minor.

14 **Sec. 71.** NRS 248.242 is hereby amended to read as follows:

15 248.242 A sheriff shall, within 7 days after receipt of a written
16 request of a person who claims to have sustained damages as a
17 result of ~~an accident;~~ *a crash*, or his or her legal representative or
18 insurer, and upon receipt of a reasonable fee to cover the cost of
19 reproduction, provide the person, his or her legal representative or
20 insurer, as applicable, with a copy of the ~~accident;~~ *crash* report and
21 all statements by witnesses and photographs in the possession or
22 under the control of the sheriff's office that concern the ~~accident;~~
23 *crash*, unless:

24 1. The materials are privileged or confidential pursuant to a
25 specific statute; or

26 2. The ~~accident;~~ *crash* involved:

27 (a) The death or substantial bodily harm of a person;

28 (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or

29 (c) The commission of a felony.

30 **Sec. 72.** NRS 258.072 is hereby amended to read as follows:

31 258.072 A constable shall, within 7 days after receipt of a
32 written request of a person who claims to have sustained damages as
33 a result of ~~an accident;~~ *a crash*, or the person's legal representative
34 or insurer, and upon receipt of a reasonable fee to cover the cost of
35 reproduction, provide the person, the person's legal representative
36 or insurer, as applicable, with a copy of the ~~accident;~~ *crash* report
37 and all statements by witnesses and photographs in the possession or
38 under the control of the constable's office that concern the
39 ~~accident;~~ *crash*, unless:

40 1. The materials are privileged or confidential pursuant to a
41 specific statute; or

42 2. The ~~accident;~~ *crash* involved:

43 (a) The death or substantial bodily harm of a person;

44 (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or

45 (c) The commission of a felony.



1 **Sec. 73.** NRS 259.050 is hereby amended to read as follows:

2 259.050 1. When a coroner or the coroner's deputy is
3 informed that a person has been killed, has committed suicide or has
4 suddenly died under such circumstances as to afford reasonable
5 ground to suspect that the death has been occasioned by unnatural
6 means, the coroner shall make an appropriate investigation.

7 2. In all cases where it is apparent or can be reasonably inferred
8 that the death may have been caused by a criminal act, the coroner
9 or the coroner's deputy shall notify the district attorney of the
10 county where the inquiry is made, and the district attorney shall
11 make an investigation with the assistance of the coroner. If
12 the sheriff is not ex officio the coroner, the coroner shall also notify
13 the sheriff, and the district attorney and sheriff shall make the
14 investigation with the assistance of the coroner.

15 3. The holding of a coroner's inquest is within the sound
16 discretion of the district attorney or district judge of the county. An
17 inquest need not be conducted in any case of death manifestly
18 occasioned by natural cause, suicide, accident, *motor vehicle crash*
19 or when it is publicly known that the death was caused by a person
20 already in custody, but an inquest must be held unless the district
21 attorney or a district judge certifies that no inquest is required.

22 4. If an inquest is to be held, the district attorney shall call
23 upon a justice of the peace of the county to preside over it. The
24 justice of the peace shall summon three persons qualified by law to
25 serve as jurors, to appear before the justice of the peace forthwith at
26 the place where the body is or such other place within the county as
27 may be designated by him or her to inquire into the cause of death.

28 5. A single inquest may be held with respect to more than one
29 death, where all the deaths were occasioned by a common cause.

30 **Sec. 74.** NRS 268.900 is hereby amended to read as follows:

31 268.900 A police department or other law enforcement agency
32 of a city shall, within 7 days after receipt of a written request of a
33 person who claims to have sustained damages as a result of ~~an~~
34 ~~accident;~~ *a crash*, or the person's legal representative or insurer,
35 and upon receipt of a reasonable fee to cover the cost of
36 reproduction, provide the person, legal representative or insurer, as
37 applicable, with a copy of the ~~accident;~~ *crash* report and all
38 statements by witnesses and photographs in the possession or under
39 the control of the department or agency that concern the ~~accident;~~
40 *crash*, unless:

41 1. The materials are privileged or confidential pursuant to a
42 specific statute; or

43 2. The ~~accident;~~ *crash* involved:

44 (a) The death or substantial bodily harm of a person;

45 (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or



1 (c) The commission of a felony.

2 **Sec. 75.** NRS 269.247 is hereby amended to read as follows:

3 269.247 A police department or other law enforcement agency
4 of a town shall, within 7 days after receipt of a written request of a
5 person who claims to have sustained damages as a result of ~~an~~
6 ~~accident;~~ *a crash*, or the person's legal representative or insurer,
7 and upon receipt of a reasonable fee to cover the cost of
8 reproduction, provide the person, the person's legal representative
9 or insurer, as applicable, with a copy of the ~~accident~~ *crash* report
10 and all statements by witnesses and photographs in the possession or
11 under the control of the department or agency that concern the
12 ~~accident;~~ *crash*, unless:

13 1. The materials are privileged or confidential pursuant to a
14 specific statute; or

15 2. The ~~accident~~ *crash* involved:

16 (a) The death or substantial bodily harm of a person;

17 (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or

18 (c) The commission of a felony.

19 **Sec. 76.** NRS 277.035 is hereby amended to read as follows:

20 277.035 1. In the absence of an interlocal or cooperative
21 agreement entered into pursuant to this chapter, if a law enforcement
22 agency requests the assistance of another law enforcement agency
23 which responds to the request, the law enforcement agencies shall
24 be deemed to have entered into an implied agreement whereby:

25 (a) Both law enforcement agencies shall be deemed, for the
26 limited purpose of the exclusive remedy set forth in NRS 616A.020,
27 to employ jointly a person who:

28 (1) Is an employee of either law enforcement agency; and

29 (2) Sustains an injury by accident *or motor vehicle crash*

30 while participating in the matter for which assistance was requested.

31 (b) Each law enforcement agency shall defend, hold harmless
32 and indemnify the other law enforcement agency and its employees
33 from any claim or liability arising from an act or omission
34 performed by its own employee while participating in the matter for
35 which assistance was requested, unless such act or omission is a
36 negligent act or omission for which the law enforcement agency
37 who employs that employee is not liable pursuant to NRS 41.0336.

38 2. As used in this section:

39 (a) "Employee" includes a person who:

40 (1) Is paid by a law enforcement agency to serve as a peace
41 officer, as that term is defined in NRS 169.125; or

42 (2) Is recognized by and serves a law enforcement agency
43 as a volunteer peace officer, as that term is described in
44 NRS 616A.160.



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1 (b) "Law enforcement agency" means an agency, office or
2 bureau of this state or a political subdivision of this state, the
3 primary duty of which is to enforce the law.

4 **Sec. 77.** NRS 280.400 is hereby amended to read as follows:

5 280.400 A metropolitan police department shall, within 7 days
6 after receipt of a written request of a person who claims to have
7 sustained damages as a result of ~~an accident;~~ **a crash**, or his or her
8 legal representative or insurer, and upon receipt of a reasonable fee
9 to cover the cost of reproduction, provide the person or his or her
10 legal representative or insurer, as applicable, with a copy of the
11 ~~accident~~ **crash** report and all statements by witnesses and
12 photographs in the possession or under the control of the department
13 that concern the ~~accident;~~ **crash**, unless:

14 1. The materials are privileged or confidential pursuant to a
15 specific statute; or

16 2. The ~~accident~~ **crash** involved:

17 (a) The death or substantial bodily harm of a person;

18 (b) Failure to stop at the scene of ~~an accident;~~ **a crash**; or

19 (c) The commission of a felony.

20 **Sec. 78.** NRS 281.153 is hereby amended to read as follows:

21 281.153 1. The employer of a police officer or firefighter
22 may establish a program that allows a police officer or firefighter
23 whom it employs who has suffered a catastrophe resulting in
24 temporary total disability to elect to continue to receive the police
25 officer's or firefighter's normal salary for a period of not more than
26 1 year in lieu of receiving the compensation for the industrial injury
27 or occupational disease for which the police officer or firefighter is
28 eligible pursuant to chapters 616A to 616D, inclusive, or 617 of
29 NRS, unless the police officer or firefighter has made an election
30 pursuant to NRS 281.390.

31 2. A program established pursuant to subsection 1:

32 (a) Must prescribe the conditions pursuant to which a police
33 officer or firefighter is eligible to receive the police officer's or
34 firefighter's normal salary in accordance with an election pursuant
35 to subsection 1; and

36 (b) May allow a police officer or firefighter to return to light-
37 duty employment or employment modified according to the police
38 officer's or firefighter's physical restrictions or limitations and
39 receive the police officer's or firefighter's normal salary during the
40 period of an election pursuant to subsection 1.

41 3. Unless the employer is self-insured or a member of an
42 association of self-insured public or private employers, the employer
43 shall notify the insurer that provides industrial insurance for that
44 employer of the election by a police officer or firefighter pursuant to
45 subsection 1. When the police officer or firefighter is no longer



1 eligible to receive the police officer's or firefighter's normal salary
2 pursuant to such an election, the employer shall notify the insurer so
3 that the insurer may begin paying to the police officer or firefighter
4 the benefits, if any, for industrial insurance for which the police
5 officer or firefighter is eligible. If the employer is self-insured or a
6 member of an association of self-insured public or private
7 employers and the police officer or firefighter is no longer eligible
8 to receive the police officer's or firefighter's normal salary in
9 accordance with an election pursuant to subsection 1, the employer
10 shall begin paying the benefits, if any, for industrial insurance to
11 which the police officer or firefighter is entitled.

12 4. During the period in which the police officer or firefighter
13 elects to receive the police officer's or firefighter's normal salary
14 pursuant to subsection 1, the police officer or firefighter accrues sick
15 leave, annual leave and retirement benefits at the same rate at which
16 the police officer or firefighter accrued such leave and benefits
17 immediately before the election.

18 5. As used in this section:

19 (a) "Catastrophe" means an illness, ~~+~~ accident *or motor*
20 *vehicle crash* arising out of or in the course of employment which is
21 life threatening or which will require a period of convalescence that
22 an attending physician expects to exceed 30 days and because of
23 which the employee is unable to perform the duties of the
24 employee's position.

25 (b) "Police officer" has the meaning ascribed to it in
26 NRS 617.135.

27 **Sec. 79.** NRS 284.362 is hereby amended to read as follows:
28 284.362 1. As used in NRS 284.362 to 284.3629, inclusive:

29 (a) "Catastrophe" means:

30 (1) The employee is unable to perform the duties of the
31 employee's position because of a serious illness, ~~+~~ accident *or*
32 *motor vehicle crash* which is life threatening or which will require a
33 lengthy convalescence;

34 (2) There is a serious illness, ~~+~~ accident *or motor vehicle*
35 *crash* which is life threatening or which will require a lengthy
36 convalescence in the employee's immediate family; or

37 (3) There is a death in the employee's immediate family.

38 (b) "Committee" means the Committee on Catastrophic Leave
39 created pursuant to NRS 284.3627.

40 2. The Commission shall adopt regulations further defining
41 "catastrophe" to ensure that the term is limited to serious calamities.

42 **Sec. 80.** NRS 286.672 is hereby amended to read as follows:

43 286.672 1. Except as otherwise provided in subsection 3, if a
44 deceased member had 2 years of accredited contributing service in
45 the 2 1/2 years immediately preceding the member's death or was a



1 regular, part-time employee who had 2 or more years of creditable
2 contributing service before and at least 1 day of contributing service
3 within 6 months immediately preceding the member's death, or if
4 the employee had 10 or more years of accredited contributing
5 service, certain of the deceased member's dependents are eligible
6 for payments as provided in NRS 286.671 to 286.679, inclusive. If
7 the death of the member resulted from a mental or physical
8 condition which required the member to leave the employ of a
9 participating public employer or go on leave without pay, eligibility
10 pursuant to the provisions of this section extends for 18 months after
11 the member's termination or commencement of leave without pay.

12 2. If the death of a member occurs while the member is on
13 leave of absence granted by the member's employer for further
14 training and if the member met the requirements of subsection 1 at
15 the time the member's leave began, certain of the deceased
16 member's dependents are eligible for payments as provided in
17 subsection 1.

18 3. If the death of a member is caused by an occupational
19 disease, ~~for an~~ accident *or motor vehicle crash* arising out of and
20 in the course of the member's employment, no prior contributing
21 service is required to make the deceased member's dependents
22 eligible for payments pursuant to NRS 286.671 to 286.679,
23 inclusive, except that this subsection does not apply to an accident
24 *or motor vehicle crash* occurring while the member is traveling
25 between the member's home and the member's principal place of
26 employment or to an accident, *motor vehicle crash* or occupational
27 disease arising out of employment for which no contribution is
28 made.

29 4. As used in this section, "dependent" includes a survivor
30 beneficiary designated pursuant to NRS 286.6767.

31 **Sec. 81.** NRS 289.095 is hereby amended to read as follows:

32 289.095 1. In a county whose population is 100,000 or more,
33 each law enforcement agency shall adopt policies and procedures to
34 govern the investigation of motor vehicle ~~accidents~~ *crashes* in
35 which a peace officer employed by the law enforcement agency is
36 involved. The policies and procedures must include, without
37 limitation, a requirement that if such a motor vehicle ~~accident~~
38 *crash* results in a fatal injury to any person, the motor vehicle
39 ~~accident~~ *crash* must be investigated by a law enforcement agency
40 other than the law enforcement agency that employs the peace
41 officer involved in the ~~accident~~ *crash* unless:

42 (a) Another law enforcement agency does not have comparable
43 equipment and personnel to investigate the ~~accident~~ *crash* at least
44 as effectively as the law enforcement agency that employs the peace
45 officer involved in the motor vehicle ~~accident~~ *crash*;



1 (b) Another law enforcement agency is unavailable to
2 investigate the motor vehicle ~~facecident;~~ *crash*; or

3 (c) Investigation of the motor vehicle ~~facecident;~~ *crash* by
4 another law enforcement agency would delay the initiation of the
5 investigation such that the integrity of the ~~facecident;~~ *crash* scene
6 and preservation and collection of evidence may be jeopardized by
7 such a delay.

8 2. This section does not prohibit a law enforcement agency in a
9 county whose population is 100,000 or more from entering into
10 agreements for cooperation with agencies in other jurisdictions for
11 the investigation of motor vehicle ~~facecidents;~~ *crashes* in which a
12 peace officer of the law enforcement agency is involved.

13 **Sec. 82.** NRS 360.740 is hereby amended to read as follows:

14 360.740 1. The governing body of a local government or
15 special district that is created after July 1, 1998, and which provides
16 police protection and at least two of the following services:

- 17 (a) Fire protection;
18 (b) Construction, maintenance and repair of roads; or
19 (c) Parks and recreation,

20 ↪ may, by majority vote, request the Nevada Tax Commission to
21 direct the Executive Director to allocate money from the Account to
22 the local government or special district pursuant to the provisions of
23 NRS 360.680 and 360.690.

24 2. On or before December 31 of the year immediately
25 preceding the first fiscal year that the local government or special
26 district would receive money from the Account, a governing body
27 that submits a request pursuant to subsection 1 must:

- 28 (a) Submit the request to the Executive Director; and
29 (b) Provide copies of the request and any information it submits
30 to the Executive Director in support of the request to each local
31 government and special district that:
32 (1) Receives money from the Account; and
33 (2) Is located within the same county.

34 3. The Executive Director shall review each request submitted
35 pursuant to subsection 1 and submit his or her findings to the
36 Committee on Local Government Finance. In reviewing the request,
37 the Executive Director shall:

38 (a) For the initial year of distribution, establish an amount to be
39 allocated to the new local government or special district pursuant to
40 the provisions of NRS 360.680 and 360.690. If the new local
41 government or special district will provide a service that was
42 provided by another local government or special district before the
43 creation of the new local government or special district, the amount
44 allocated to the local government or special district which



1 previously provided the service must be decreased by the amount
2 allocated to the new local government or special district; and

3 (b) Consider:

4 (1) The effect of the distribution of money in the Account,
5 pursuant to the provisions of NRS 360.680 and 360.690, to the new
6 local government or special district on the amounts that the other
7 local governments and special districts that are located in the same
8 county will receive from the Account; and

9 (2) The comparison of the amount established to be allocated
10 pursuant to the provisions of NRS 360.680 and 360.690 for the new
11 local government or special district to the amounts allocated to the
12 other local governments and special districts that are located in the
13 same county.

14 4. The Committee on Local Government Finance shall review
15 the findings submitted by the Executive Director pursuant to
16 subsection 3. If the Committee determines that the distribution of
17 money in the Account to the new local government or special
18 district is appropriate, it shall submit a recommendation to the
19 Nevada Tax Commission. If the Committee determines that the
20 distribution is not appropriate, that decision is not subject to review
21 by the Nevada Tax Commission.

22 5. The Nevada Tax Commission shall schedule a public
23 hearing within 30 days after the Committee on Local Government
24 Finance submits its recommendation. The Nevada Tax Commission
25 shall provide public notice of the hearing at least 10 days before the
26 date on which the hearing will be held. The Executive Director shall
27 provide copies of all documents relevant to the recommendation of
28 the Committee on Local Government Finance to the governing body
29 of each local government and special district that is located in the
30 same county as the new local government or special district.

31 6. If, after the public hearing, the Nevada Tax Commission
32 determines that the recommendation of the Committee on Local
33 Government Finance is appropriate, it shall order the Executive
34 Director to distribute money in the Account to the new local
35 government or special district pursuant to the provisions of NRS
36 360.680 and 360.690.

37 7. For the purposes of this section, the local government or
38 special district may enter into an interlocal agreement with another
39 governmental entity for the provision of the services set forth in
40 subsection 1 if that local government or special district compensates
41 the governmental entity that provides the services in an amount
42 equal to the value of those services.

43 8. As used in this section:

44 (a) "Construction, maintenance and repair of roads" includes the
45 acquisition, operation or use of any material, equipment or facility



1 that is used exclusively for the construction, maintenance or repair
2 of a road and that is necessary for the safe and efficient use of the
3 road except alleys and pathways for bicycles that are separate from
4 the roadway and, including, without limitation:

- 5 (1) Grades or regrades;
- 6 (2) Gravel;
- 7 (3) Oiling;
- 8 (4) Surfacing;
- 9 (5) Macadamizing;
- 10 (6) Paving;
- 11 (7) Cleaning;
- 12 (8) Sanding or snow removal;
- 13 (9) Crosswalks;
- 14 (10) Sidewalks;
- 15 (11) Culverts;
- 16 (12) Catch basins;
- 17 (13) Drains;
- 18 (14) Sewers;
- 19 (15) Manholes;
- 20 (16) Inlets;
- 21 (17) Outlets;
- 22 (18) Retaining walls;
- 23 (19) Bridges;
- 24 (20) Overpasses;
- 25 (21) Tunnels;
- 26 (22) Underpasses;
- 27 (23) Approaches;
- 28 (24) Sprinkling facilities;
- 29 (25) Artificial lights and lighting equipment;
- 30 (26) Parkways;
- 31 (27) Fences or barriers that control access to the road;
- 32 (28) Control of vegetation;
- 33 (29) Rights-of-way;
- 34 (30) Grade separators;
- 35 (31) Traffic separators;
- 36 (32) Devices and signs for control of traffic;
- 37 (33) Facilities for personnel who construct, maintain or
38 repair roads; and
- 39 (34) Facilities for the storage of equipment or materials used
40 to construct, maintain or repair roads.

41 (b) "Fire protection" includes the provision of services related
42 to:

- 43 (1) The prevention and suppression of fire; and
- 44 (2) Rescue,



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1 ↪ and the acquisition and maintenance of the equipment necessary
2 to provide those services.

3 (c) "Parks and recreation" includes the employment by the local
4 government or special district, on a permanent and full-time basis,
5 of persons who administer and maintain recreational facilities and
6 parks. "Parks and recreation" does not include the construction or
7 maintenance of roadside parks or rest areas that are constructed or
8 maintained by the local government or special district as part of the
9 construction, maintenance and repair of roads.

10 (d) "Police protection" includes the employment by the local
11 government or special district, on a permanent and full-time basis,
12 of at least three persons whose primary functions specifically
13 include:

- 14 (1) Routine patrol;
- 15 (2) Criminal investigations;
- 16 (3) Enforcement of traffic laws; and
- 17 (4) Investigation of motor vehicle ~~faecidents.~~ *crashes.*

18 **Sec. 83.** NRS 391.180 is hereby amended to read as follows:

19 391.180 1. As used in this section, "employee" means any
20 employee of a school district or charter school in this State.

21 2. A school month in any public school in this State consists of
22 4 weeks of 5 days each.

23 3. Nothing contained in this section prohibits the payment of
24 employees' compensation in 12 equal monthly payments for 9 or
25 more months' work.

26 4. The per diem deduction from the salary of an employee
27 because of absence from service for reasons other than those
28 specified in this section is that proportion of the yearly salary which
29 is determined by the ratio between the duration of the absence and
30 the total number of contracted workdays in the year.

31 5. Boards of trustees shall either prescribe by regulation or
32 negotiate pursuant to chapter 288 of NRS, with respect to sick
33 leave, accumulation of sick leave, payment for unused sick leave,
34 sabbatical leave, personal leave, professional leave, military leave
35 and such other leave as they determine to be necessary or desirable
36 for employees. In addition, boards of trustees may either prescribe
37 by regulation or negotiate pursuant to chapter 288 of NRS with
38 respect to the payment of unused sick leave to licensed teachers in
39 the form of purchase of service pursuant to subsection 4 of NRS
40 286.300. The amount of service so purchased must not exceed the
41 number of hours of unused sick leave or 1 year, whichever is less.

42 6. The salary of any employee unavoidably absent because of
43 personal illness, ~~for~~ accident ~~or~~ *or motor vehicle crash*, or because
44 of serious illness, accident, *motor vehicle crash* or death in the
45 family, may be paid up to the number of days of sick leave



1 accumulated by the employee. An employee may not be credited
2 with more than 15 days of sick leave in any 1 school year. Except as
3 otherwise provided in this subsection, if an employee takes a
4 position with another school district or charter school, all sick leave
5 that the employee has accumulated must be transferred from the
6 employee's former school district or charter school to his or her new
7 school district or charter school. The amount of sick leave so
8 transferred may not exceed the maximum amount of sick leave
9 which may be carried forward from one year to the next according
10 to the applicable negotiated agreement or the policy of the district or
11 charter school into which the employee transferred. Unless the
12 applicable negotiated agreement or policy of the employing district
13 or charter school provides otherwise, such an employee:

14 (a) Shall first use the sick leave credited to the employee from
15 the district or charter school into which the employee transferred
16 before using any of the transferred leave; and

17 (b) Is not entitled to compensation for any sick leave transferred
18 pursuant to this subsection.

19 7. Subject to the provisions of subsection 8:

20 (a) If an intermission of less than 6 days is ordered by the board
21 of trustees of a school district or the governing body of a charter
22 school for any good reason, no deduction of salary may be made
23 therefor.

24 (b) If, on account of sickness, epidemic or other emergency in
25 the community, a longer intermission is ordered by the board of
26 trustees of a school district, the governing body of a charter school
27 or a board of health and the intermission or closing does not exceed
28 30 days at any one time, there may be no deduction or
29 discontinuance of salaries.

30 8. If the board of trustees of a school district or the governing
31 body of a charter school orders an extension of the number of days
32 of school to compensate for the days lost as the result of an
33 intermission because of those reasons contained in paragraph (b) of
34 subsection 7, an employee may be required to render his or her
35 services to the school district or charter school during that extended
36 period. If the salary of the employee was continued during the
37 period of intermission as provided in subsection 7, the employee is
38 not entitled to additional compensation for services rendered during
39 the extended period.

40 9. If any subject referred to in this section is included in an
41 agreement or contract negotiated by:

42 (a) The board of trustees of a school district pursuant to chapter
43 288 of NRS; or

44 (b) The governing body of a charter school pursuant to
45 NRS 386.595,



1 ↪ the provisions of the agreement or contract regarding that subject
2 supersede any conflicting provisions of this section or of a
3 regulation of the board of trustees.

4 **Sec. 84.** NRS 392.320 is hereby amended to read as follows:

5 392.320 1. As used in this section, "vehicles" means the
6 school buses, station wagons, automobiles and other motor or
7 mechanically propelled vehicles required by the school district for
8 the transportation of pupils.

9 2. The board of trustees of a school district shall use
10 transportation funds of the school district for:

11 (a) The purchase, rent, hire and use of vehicles, and for
12 necessary equipment, supplies and articles therefor.

13 (b) Necessary repairs of vehicles to keep them in safe and
14 workable condition.

15 (c) The employment and compensation of capable and reliable
16 drivers of vehicles and other employees necessary for the
17 transportation of pupils and other authorized persons.

18 (d) Insuring vehicles owned, rented, hired, used or operated by
19 or under the direction or supervision of the board of trustees. Such
20 insurance shall:

21 (1) Be of such an amount as the board of trustees may be
22 able to obtain and the regulations of the State Board of Education
23 require as sufficient to protect the board of trustees, the pupils being
24 transported, and their parents, guardians or legal representatives
25 from loss or damage resulting from acts covered by the insurance.

26 (2) Especially insure against loss and damage resulting from
27 or on account of injury or death of any pupil being transported,
28 caused by ~~collision~~ *a crash* or any accident during the operation of
29 any such vehicle.

30 **Sec. 85.** NRS 392.410 is hereby amended to read as follows:

31 392.410 1. Except as otherwise provided in this subsection,
32 every school bus operated for the transportation of pupils to or from
33 school must be equipped with:

34 (a) A system of flashing red lights of a type approved by the
35 State Board and installed at the expense of the school district or
36 operator. Except as otherwise provided in subsection 2, the driver
37 shall operate this signal:

38 (1) When the bus is stopped to unload pupils.

39 (2) When the bus is stopped to load pupils.

40 (3) In times of emergency, ~~+~~ accident ~~+~~ *or motor vehicle*
41 *crash*, when appropriate.

42 (b) A mechanical device, attached to the front of the bus which,
43 when extended, causes persons to walk around the device. The
44 device must be approved by the State Board and installed at the
45 expense of the school district or operator. The driver shall operate



1 the device when the bus is stopped to load or unload pupils. The
2 installation of such a mechanical device is not required for a school
3 bus which is used solely to transport pupils with special needs who
4 are individually loaded and unloaded in a manner which does not
5 require them to walk in front of the bus. The provisions of this
6 paragraph do not prohibit a school district from upgrading or
7 replacing such a mechanical device with a more efficient and
8 effective device that is approved by the State Board.

9 2. A driver may stop to load and unload pupils in a designated
10 area without operating the system of flashing red lights required by
11 subsection 1 if the designated area:

12 (a) Has been designated by a school district and approved by the
13 Department;

14 (b) Is of sufficient depth and length to provide space for the bus
15 to park at least 8 feet off the traveled portion of the roadway;

16 (c) Is not within an intersection of roadways;

17 (d) Contains ample space between the exit door of the bus and
18 the parking area to allow safe exit from the bus;

19 (e) Is located so as to allow the bus to reenter the traffic from its
20 parked position without creating a traffic hazard; and

21 (f) Is located so as to allow pupils to enter and exit the bus
22 without crossing the roadway.

23 3. In addition to the equipment required by subsection 1 and
24 except as otherwise provided in subsection 4 of NRS 392.400, each
25 school bus must:

26 (a) Be equipped and identified as required by the regulations of
27 the State Board; and

28 (b) If the bus is a new bus purchased by a school district to
29 transport pupils, meet the standards set forth in:

30 (1) Subsection 1 of NRS 392.405 if the bus is purchased on
31 or after January 1, 2016; and

32 (2) Subsection 2 or 3 of NRS 392.405 if the bus is purchased
33 on or after July 1, 2016.

34 4. The agents and employees of the Department of Motor
35 Vehicles shall inspect school buses to determine whether the
36 provisions of this section concerning equipment and identification
37 of the school buses have been complied with, and shall report any
38 violations discovered to the superintendent of schools of the school
39 district wherein the vehicles are operating.

40 5. If the superintendent of schools fails or refuses to take
41 appropriate action to correct any such violation within 10 days after
42 receiving notice of it from the Department of Motor Vehicles, the
43 superintendent is guilty of a misdemeanor, and upon conviction
44 must be removed from office.



1 6. Any person who violates any of the provisions of this
2 section is guilty of a misdemeanor.

3 **Sec. 86.** NRS 394.545 is hereby amended to read as follows:

4 394.545 1. A driving school:

5 (a) Must be located more than 200 feet from any office of the
6 Department of Motor Vehicles;

7 (b) Must have the equipment necessary to instruct students in
8 the safe operation of motor vehicles and maintain the equipment in a
9 safe condition; and

10 (c) Must have insurance in at least the following amounts:

11 (1) For bodily injury to or death of two or more persons in
12 one ~~an accident;~~ *crash*, \$40,000; and

13 (2) For damage to property in any one ~~an accident;~~ *crash*,
14 \$10,000.

15 2. The Department of Motor Vehicles may review and approve
16 or disapprove any application to issue, renew or revoke a license for
17 a driving school. The Department of Motor Vehicles may, at any
18 time, inspect a licensed driving school and may recommend that its
19 license be suspended or revoked. The Administrator shall
20 investigate and recommend to the Commission the appropriate
21 action.

22 **Sec. 87.** NRS 396.328 is hereby amended to read as follows:

23 396.328 The Police Department for the System shall, within 7
24 days after receipt of a written request of a person who claims to
25 have sustained damages as a result of ~~an accident;~~ *a crash*, or the
26 person's legal representative or insurer, and upon receipt of a
27 reasonable fee to cover the cost of reproduction, provide the person,
28 his or her legal representative or insurer, as applicable, with a copy
29 of the ~~an accident;~~ *crash* report and all statements by witnesses and
30 photographs in the possession or under the control of the
31 Department that concern the ~~an accident;~~ *crash*, unless:

32 1. The materials are privileged or confidential pursuant to a
33 specific statute; or

34 2. The ~~an accident;~~ *crash* involved:

35 (a) The death or substantial bodily harm of a person;

36 (b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or

37 (c) The commission of a felony.

38 **Sec. 88.** NRS 408.100 is hereby amended to read as follows:

39 408.100 Recognizing that safe and efficient highway
40 transportation is a matter of important interest to all the people of
41 the State, and that an adequate highway system is a vital part of the
42 national defense, the Legislature hereby determines and declares
43 that:

44 1. An integrated system of state highways and roads is
45 essential to the general welfare of the State.



1 2. Providing such a system of facilities, its efficient
2 management, maintenance and control is recognized as a problem
3 and as the proper prospective of highway legislation.

4 3. Inadequate highways and roads obstruct the free flow of
5 traffic, resulting in undue cost of motor vehicle operation,
6 endangering the health and safety of the citizens of the State,
7 depreciating property values, and impeding general economic and
8 social progress of the State.

9 4. In designating the highways and roads of the State as
10 provided in this chapter, the Legislature places a high degree of trust
11 in the hands of those officials whose duty it is, within the limits of
12 available funds, to plan, develop, operate, maintain, control and
13 protect the highways and roads of this state, for present as well as
14 for future use.

15 5. To this end, it is the express intent of the Legislature to
16 make the Board of Directors of the Department of Transportation
17 custodian of the state highways and roads and to provide sufficiently
18 broad authority to enable the Board to function adequately and
19 efficiently in all areas of appropriate jurisdiction, subject to the
20 limitations of the Constitution and the legislative mandate proposed
21 in this chapter.

22 6. The Legislature intends:

23 (a) To declare, in general terms, the powers and duties of the
24 Board of Directors, leaving specific details to be determined by
25 reasonable regulations and declarations of policy which the Board
26 may promulgate.

27 (b) By general grant of authority to the Board of Directors to
28 delegate sufficient power and authority to enable the Board to carry
29 out the broad objectives contained in this chapter.

30 7. The problem of establishing and maintaining adequate
31 highways and roads, eliminating congestion, reducing ~~accident~~
32 *crash* frequency and taking all necessary steps to ensure safe and
33 convenient transportation on these public ways is no less urgent.

34 8. The Legislature hereby finds, determines and declares that
35 this chapter is necessary for the preservation of the public safety, the
36 promotion of the general welfare, the improvement and
37 development of facilities for transportation in the State, and other
38 related purposes necessarily included therein, and as a contribution
39 to the system of national defense.

40 9. The words "construction," "maintenance" and
41 "administration" used in Section 5 of Article 9 of the Constitution of
42 the State of Nevada are broad enough to be construed to include and
43 as contemplating the construction, maintenance and administration
44 of the state highways and roads as established by this chapter and



1 the landscaping, roadside improvements and planning surveys of the
2 state highways and roads.

3 **Sec. 89.** NRS 408.210 is hereby amended to read as follows:

4 408.210 1. Except as otherwise provided in NRS 484D.655,
5 the Director of the Department of Transportation may restrict the
6 use of, or close, any highway whenever the Director considers the
7 closing or restriction of use necessary:

8 (a) For the protection of the public.

9 (b) For the protection of such highway from damage during
10 storms or during construction, reconstruction, improvement or
11 maintenance operations thereon.

12 (c) To promote economic development or tourism in the best
13 interest of the State or upon the written request of the Executive
14 Director of the Office of Economic Development or the Director of
15 the Department of Tourism and Cultural Affairs.

16 2. The Director of the Department of Transportation may:

17 (a) Divide or separate any highway into separate roadways,
18 wherever there is particular danger to the traveling public of
19 ~~collisions~~ crashes between vehicles proceeding in opposite
20 directions or from vehicular turning movements or cross-traffic, by
21 constructing curbs, central dividing sections or other physical
22 dividing lines, or by signs, marks or other devices in or on the
23 highway appropriate to designate the dividing line.

24 (b) Lay out and construct frontage roads on and along any
25 highway or freeway and divide and separate any such frontage road
26 from the main highway or freeway by means of curbs, physical
27 barriers or by other appropriate devices.

28 3. The Director may remove from the highways any unlicensed
29 encroachment which is not removed, or the removal of which is not
30 commenced and thereafter diligently prosecuted, within 5 days after
31 personal service of notice and demand upon the owner of the
32 encroachment or the owner's agent. In lieu of personal service upon
33 that person or agent, service of the notice may also be made by
34 registered or certified mail and by posting, for a period of 5 days, a
35 copy of the notice on the encroachment described in the notice.
36 Removal by the Department of the encroachment on the failure of
37 the owner to comply with the notice and demand gives the
38 Department a right of action to recover the expense of the removal,
39 cost and expenses of suit, and in addition thereto the sum of \$100
40 for each day the encroachment remains beyond 5 days after the
41 service of the notice and demand.

42 4. If the Director determines that the interests of the
43 Department are not compromised by a proposed or existing
44 encroachment, the Director may issue a license to the owner or the
45 owner's agent permitting an encroachment on the highway. Such a



1 license is revocable and must provide for relocation or removal of
2 the encroachment in the following manner. Upon notice from the
3 Director to the owner of the encroachment or the owner's agent, the
4 owner or agent may propose a time within which he or she will
5 relocate or remove the encroachment as required. If the Director and
6 the owner or the owner's agent agree upon such a time, the Director
7 shall not himself or herself remove the encroachment unless the
8 owner or the owner's agent has failed to do so within the time
9 agreed. If the Director and the owner or the owner's agent do not
10 agree upon such a time, the Director may remove the encroachment
11 at any time later than 30 days after the service of the original notice
12 upon the owner or the owner's agent. Service of notice may be made
13 in the manner provided by subsection 3. Removal of the
14 encroachment by the Director gives the Department the right of
15 action provided by subsection 3, but the penalty must be computed
16 from the expiration of the agreed period or 30-day period, as the
17 case may be.

18 **Sec. 90.** NRS 408.561 is hereby amended to read as follows:

19 408.561 1. The Department may establish at centers a toll-
20 free telephone system for members of the traveling public to make
21 reservations at hotels, motels, campgrounds and other places of
22 public accommodation. The cost of this system, reduced pursuant to
23 subsection 2 if applicable, must be apportioned among the hotels,
24 motels, campgrounds and other businesses that participate in the
25 system.

26 2. If the Department uses the telephone system established
27 pursuant to subsection 1 as a method for members of the public to
28 report fires, accidents , *motor vehicle crashes* or other emergencies
29 or to receive information concerning the conditions for driving on
30 certain highways, the Department shall pay a proportionate share of
31 the cost of the system.

32 **Sec. 91.** NRS 408.569 is hereby amended to read as follows:

33 408.569 The Department shall establish along one or more
34 frequently traveled highways of this state a system of
35 communication for members of the general public to report fires,
36 accidents , *motor vehicle crashes* or other emergencies and to
37 receive information concerning the conditions for driving on certain
38 highways.

39 **Sec. 92.** NRS 424.250 is hereby amended to read as follows:

40 424.250 1. A provider of foster care shall not use physical
41 restraint on a child placed with the provider unless the child presents
42 an imminent threat of danger of harm to himself or herself or others.

43 2. A foster care agency shall notify the licensing authority or
44 its designee when any serious incident, accident , *motor vehicle*
45 *crash* or injury occurs to a child in its care within 24 hours after the



1 incident, accident , *motor vehicle crash* or injury. The foster care
2 agency shall provide a written report to the licensing authority or its
3 designee as soon as practicable after notifying the licensing
4 authority or its designee. The written report must include, without
5 limitation, the date and time of the incident, accident , *motor vehicle*
6 *crash* or injury, any action taken as a result of the incident, accident
7 , *motor vehicle crash* or injury, the name of the employee of the
8 foster care agency who completed the written report and the name of
9 the employee of the licensing authority or its designee who was
10 notified.

11 3. A foster care agency shall report any potential violation of
12 the provisions of this chapter or any regulations adopted pursuant
13 thereto relating to licensing to the licensing authority within 24
14 hours after an employee of the foster care agency becomes aware of
15 the potential violation. A foster care agency shall cooperate with the
16 licensing authority in its review of such reports and support each
17 foster home with which the foster care agency has a contract for the
18 placement of children in completing any action required to correct a
19 violation.

20 4. A foster care agency shall fully comply with any
21 investigation of a report of the abuse or neglect of a child pursuant
22 to NRS 432B.220.

23 **Sec. 93.** NRS 426.510 is hereby amended to read as follows:

24 426.510 1. Except as otherwise provided in subsections 2, 3
25 and 4, a person shall not:

26 (a) Use a service animal; or

27 (b) Carry or use on any street or highway or in any other public
28 place a cane or walking stick which is white or metallic in color, or
29 white tipped with red.

30 2. A person who is blind may use a service animal and a cane
31 or walking stick which is white or metallic in color, or white tipped
32 with red.

33 3. A person who is deaf may use a service animal.

34 4. A person with a physical disability may use a service
35 animal.

36 5. Any pedestrian who approaches or encounters a person who
37 is blind using a service animal or carrying a cane or walking stick,
38 white or metallic in color, or white tipped with red, shall
39 immediately come to a full stop and take such precautions before
40 proceeding as may be necessary to avoid accident , *motor vehicle*
41 *crash* or injury to the person who is blind.

42 6. Any person other than a person who is blind who:

43 (a) Uses a service animal or carries a cane or walking stick such
44 as is described in this section, contrary to the provisions of this
45 section;



1 (b) Fails to heed the approach of a person using a service animal
2 or carrying such a cane as is described by this section;

3 (c) Fails to come to a stop upon approaching or coming in
4 contact with a person so using a service animal or so carrying such a
5 cane or walking stick; or

6 (d) Fails to take precaution against accident , *motor vehicle*
7 *crash* or injury to such a person after coming to a stop as provided
8 for in this section,

9 ➔ is guilty of a misdemeanor.

10 7. This section does not apply to any person who is instructing
11 a person who is blind, person who is deaf or person with a physical
12 disability or training a service animal.

13 **Sec. 94.** NRS 428.010 is hereby amended to read as follows:

14 428.010 1. Except as otherwise provided in NRS 422.382, to
15 the extent that money may be lawfully appropriated by the board of
16 county commissioners for this purpose pursuant to NRS 428.050,
17 428.285 and 450.425, every county shall provide care, support and
18 relief to the poor, indigent, incompetent and those incapacitated by
19 age, disease , ~~for~~ accident ~~or~~ *motor vehicle crash*, lawfully
20 resident therein, when those persons are not supported or relieved by
21 their relatives or guardians, by their own means, or by state
22 hospitals, or other state, federal or private institutions or agencies.

23 2. Except as otherwise provided in NRS 439B.330, the boards
24 of county commissioners of the several counties shall establish and
25 approve policies and standards, prescribe a uniform standard of
26 eligibility, appropriate money for this purpose and appoint agents
27 who will develop regulations and administer these programs to
28 provide care, support and relief to the poor, indigent, incompetent
29 and those incapacitated by age, disease , ~~for~~ accident ~~or~~ *motor*
30 *vehicle crash*.

31 **Sec. 95.** NRS 428.165 is hereby amended to read as follows:

32 428.165 "Injury in a motor vehicle ~~accident~~ *crash*" means
33 any personal injury ~~accidentally~~ caused in, by or as the proximate
34 result of the movement of a motor vehicle on a public street or
35 highway, whether the injured person was the operator of the vehicle
36 or another vehicle, a passenger in the vehicle or another vehicle, a
37 pedestrian, or had some other relationship to the movement of a
38 vehicle.

39 **Sec. 96.** NRS 428.215 is hereby amended to read as follows:

40 428.215 Whenever hospital care is furnished to a person on
41 account of an injury suffered by the person in a motor vehicle
42 ~~accident~~ *crash*, the hospital shall use reasonable diligence to
43 collect the amount of the charges for that care from the patient or
44 any other person responsible for the support of the patient. The



1 hospital may request the board of county commissioners of the
2 county in which:

3 1. The ~~faceident}~~ *crash* occurred, if the person is not a resident
4 of this state and the ~~faceident}~~ *crash* occurred in this state; or

5 2. The person resides, if the person is a resident of this state,
6 ➔ to determine whether the person who received the care is an
7 indigent person.

8 **Sec. 97.** NRS 428.255 is hereby amended to read as follows:

9 428.255 1. Any reimbursement or partial reimbursement
10 made from the Fund for unpaid charges for hospital care furnished to
11 a person which are not greater than \$3,000, is a charge upon the
12 county in which:

13 (a) The ~~faceident}~~ *crash* occurred, if the person is not a resident
14 of this state and the ~~faceident}~~ *crash* occurred in this state; or

15 (b) The person resides, if the person is a resident of this state,
16 ➔ and must be paid to the Fund upon a claim presented by the
17 Board as other claims against the county are paid.

18 2. Money paid by a county pursuant to this section must be
19 accounted for separately and expended in accordance with the
20 provisions of subsection 3 of NRS 428.175.

21 **Sec. 98.** NRS 432A.500 is hereby amended to read as follows:

22 432A.500 1. A field administrator shall ensure that each
23 group of clients does not hike beyond the physical limitations of the
24 weakest member of the group. If the outdoor temperature is greater
25 than 90 degrees Fahrenheit, clients must not be allowed to hike
26 between 10 a.m. and 6 p.m.

27 2. The field staff shall:

28 (a) Provide clients with daily instruction upon:

29 (1) Federal, state and local laws and regulations for the
30 protection of the environment; and

31 (2) Conducting themselves in such a manner as not to have
32 an adverse effect on the environment.

33 (b) Maintain a common daily log of all accidents, *motor vehicle*
34 *crashes*, injuries, administrations of medication, behavioral
35 problems and any unusual incidents that occur. The log must be in
36 bound form, except that a log may be recorded electronically while
37 on an expedition if it is transcribed into a bound volume
38 immediately after the expedition. All entries must be in permanent
39 ink and signed by the entrant. A provider or field administrator
40 shall, upon request, allow any authorized member or employee of
41 the Division to inspect the log, and shall not allow any person to
42 alter or destroy the log or any of its entries.

43 (c) While on an expedition, carry an itinerary of the expedition,
44 including the intended schedule, and a map of the route for the
45 expedition.



1 **Sec. 99.** NRS 433.484 is hereby amended to read as follows:

2 433.484 Each consumer admitted for evaluation, treatment or
3 training to a facility has the following rights concerning care,
4 treatment and training, a list of which must be prominently posted in
5 all facilities providing those services and must be otherwise brought
6 to the attention of the consumer by such additional means as
7 prescribed by regulation:

8 1. To medical, psychosocial and rehabilitative care, treatment
9 and training including prompt and appropriate medical treatment
10 and care for physical and mental ailments and for the prevention of
11 any illness or disability. All of that care, treatment and training must
12 be consistent with standards of practice of the respective professions
13 in the community and is subject to the following conditions:

14 (a) Before instituting a plan of care, treatment or training or
15 carrying out any necessary surgical procedure, express and informed
16 consent must be obtained in writing from:

17 (1) The consumer if he or she is 18 years of age or over or
18 legally emancipated and competent to give that consent, and from
19 the consumer's legal guardian, if any;

20 (2) The parent or guardian of a consumer under 18 years of
21 age and not legally emancipated; or

22 (3) The legal guardian of a consumer of any age who has
23 been adjudicated mentally incompetent;

24 (b) An informed consent requires that the person whose consent
25 is sought be adequately informed as to:

26 (1) The nature and consequences of the procedure;

27 (2) The reasonable risks, benefits and purposes of the
28 procedure; and

29 (3) Alternative procedures available;

30 (c) The consent of a consumer as provided in paragraph (b) may
31 be withdrawn by the consumer in writing at any time with or
32 without cause;

33 (d) Even in the absence of express and informed consent, a
34 licensed and qualified physician may render emergency medical
35 care or treatment to any consumer who has been injured in an
36 accident *or motor vehicle crash* or who is suffering from an acute
37 illness, disease or condition, if within a reasonable degree of
38 medical certainty, delay in the initiation of emergency medical care
39 or treatment would endanger the health of the consumer and if the
40 treatment is immediately entered into the consumer's record of
41 treatment, subject to the provisions of paragraph (e); and

42 (e) If the proposed emergency medical care or treatment is
43 deemed by the chief medical officer of the facility to be unusual,
44 experimental or generally occurring infrequently in routine medical
45 practice, the chief medical officer shall request consultation from



1 other physicians or practitioners of healing arts who have
2 knowledge of the proposed care or treatment.

3 2. To be free from abuse, neglect and aversive intervention.

4 3. To consent to the consumer's transfer from one facility to
5 another, except that the Administrator of the Division of Public and
6 Behavioral Health of the Department or the Administrator's
7 designee, or the Administrator of the Division of Child and Family
8 Services of the Department or the Administrator's designee, may
9 order a transfer to be made whenever conditions concerning care,
10 treatment or training warrant it. If the consumer in any manner
11 objects to the transfer, the person ordering it must enter the
12 objection and a written justification of the transfer in the consumer's
13 record of treatment and immediately forward a notice of the
14 objection to the Administrator who ordered the transfer, and the
15 Commission shall review the transfer pursuant to subsection 3 of
16 NRS 433.534.

17 4. Other rights concerning care, treatment and training as may
18 be specified by regulation of the Commission.

19 **Sec. 100.** NRS 435.570 is hereby amended to read as follows:

20 435.570 Each consumer admitted for evaluation, treatment or
21 training to a facility has the following rights concerning care,
22 treatment and training, a list of which must be prominently posted in
23 all facilities providing those services and must be otherwise brought
24 to the attention of the consumer by such additional means as
25 prescribed by regulation:

26 1. To medical, psychosocial and rehabilitative care, treatment
27 and training including prompt and appropriate medical treatment
28 and care for physical and mental ailments and for the prevention of
29 any illness or disability. All of that care, treatment and training must
30 be consistent with standards of practice of the respective professions
31 in the community and is subject to the following conditions:

32 (a) Before instituting a plan of care, treatment or training or
33 carrying out any necessary surgical procedure, express and informed
34 consent must be obtained in writing from:

35 (1) The consumer if he or she is 18 years of age or over or
36 legally emancipated and competent to give that consent, and from
37 the consumer's legal guardian, if any;

38 (2) The parent or guardian of a consumer under 18 years of
39 age and not legally emancipated; or

40 (3) The legal guardian of a consumer of any age who has
41 been adjudicated mentally incompetent;

42 (b) An informed consent requires that the person whose consent
43 is sought be adequately informed as to:

44 (1) The nature and consequences of the procedure;



1 (2) The reasonable risks, benefits and purposes of the
2 procedure; and

3 (3) Alternative procedures available;

4 (c) The consent of a consumer as provided in paragraph (b) may
5 be withdrawn by the consumer in writing at any time with or
6 without cause;

7 (d) Even in the absence of express and informed consent, a
8 licensed and qualified physician may render emergency medical
9 care or treatment to any consumer who has been injured in an
10 accident *or motor vehicle crash* or who is suffering from an acute
11 illness, disease or condition if, within a reasonable degree of
12 medical certainty, delay in the initiation of emergency medical care
13 or treatment would endanger the health of the consumer and if the
14 treatment is immediately entered into the consumer's record of
15 treatment, subject to the provisions of paragraph (e); and

16 (e) If the proposed emergency medical care or treatment is
17 deemed by the chief medical officer of the facility to be unusual,
18 experimental or generally occurring infrequently in routine medical
19 practice, the chief medical officer shall request consultation from
20 other physicians or practitioners of healing arts who have
21 knowledge of the proposed care or treatment.

22 2. To be free from abuse, neglect and aversive intervention.

23 3. To consent to the consumer's transfer from one facility to
24 another, except that the Administrator of the Division or the
25 Administrator's designee, or the Administrator of the Division of
26 Child and Family Services of the Department or the Administrator's
27 designee, may order a transfer to be made whenever conditions
28 concerning care, treatment or training warrant it. If the consumer in
29 any manner objects to the transfer, the person ordering it must enter
30 the objection and a written justification of the transfer in the
31 consumer's record of treatment and immediately forward a notice of
32 the objection to the Administrator who ordered the transfer, and the
33 Commission on Behavioral Health shall review the transfer pursuant
34 to subsection 3 of NRS 435.610.

35 4. Other rights concerning care, treatment and training as may
36 be specified by regulation.

37 **Sec. 101.** NRS 439B.280 is hereby amended to read as
38 follows:

39 439B.280 The major hospitals shall sponsor an educational
40 program to promote wellness, physical fitness and the prevention of
41 disease , ~~and~~ accidents ~~+~~ *and motor vehicle crashes*. The
42 program must be:

43 1. Administered and carried out by the participating hospitals;
44 and

45 2. Approved by the Director.



1 **Sec. 102.** NRS 445B.100 is hereby amended to read as
2 follows:

3 445B.100 1. It is the public policy of the State of Nevada and
4 the purpose of NRS 445B.100 to 445B.640, inclusive, to achieve
5 and maintain levels of air quality which will protect human health
6 and safety, prevent injury to plant and animal life, prevent damage
7 to property, and preserve visibility and scenic, esthetic and historic
8 values of the State.

9 2. It is the intent of NRS 445B.100 to 445B.640, inclusive, to:

10 (a) Require the use of reasonably available methods to prevent,
11 reduce or control air pollution throughout the State of Nevada;

12 (b) Maintain cooperative programs between the State and its
13 local governments; and

14 (c) Facilitate cooperation across jurisdictional lines in dealing
15 with problems of air pollution not confined within a single
16 jurisdiction.

17 3. The quality of air is declared to be affected with the public
18 interest, and NRS 445B.100 to 445B.640, inclusive, are enacted in
19 the exercise of the police power of this State to protect the health,
20 peace, safety and general welfare of its people.

21 4. It is also the public policy of this State:

22 (a) To provide for the integration of all programs for the
23 prevention of accidents *and motor vehicle crashes* in this State
24 involving chemicals, including, without limitation, accidents *and*
25 *motor vehicle crashes* involving hazardous air pollutants, highly
26 hazardous chemicals, highly hazardous substances and extremely
27 hazardous substances; and

28 (b) Periodically to retire a portion of the emission credits or
29 allocations specified in NRS 445B.235 that may otherwise be
30 available for banking or for sale pursuant to that section.

31 **Sec. 103.** NRS 450.400 is hereby amended to read as follows:

32 450.400 1. When the privileges and use of the hospital are
33 extended to a resident of another county who is reasonably believed
34 to be indigent, as defined in NRS 439B.310, and who is:

35 (a) Entitled under the laws of this state to relief, support, care,
36 nursing, medicine or medical or surgical aid from the other county;
37 or

38 (b) Injured, maimed or falls sick in the other county,
39 ↳ the governing head shall notify the board of county
40 commissioners of that county within 3 working days after the person
41 is admitted to that hospital.

42 2. The notice must be in writing and addressed to the board of
43 county commissioners of that county.

44 3. Except in the case of an injury suffered in a motor vehicle
45 ~~accident,~~ *crash*, the board of county commissioners receiving the



1 notice shall cause the person to be removed immediately to that
2 county, and shall pay a reasonable sum to the hospital for the
3 temporary occupancy, care, nursing, medicine, and attendance, other
4 than medical or surgical attendance, furnished to the person.

5 4. If the board of county commissioners neglects or refuses to
6 remove the person, or if in the opinion of the attending physician it
7 is not advisable to remove the person, the governing head has a legal
8 claim against the county for all charges for occupancy, nursing,
9 care, medicine, and attendance, other than medical or surgical
10 attendance, necessarily furnished, and may recover those charges in
11 a suit at law.

12 **Sec. 104.** NRS 455.103 is hereby amended to read as follows:

13 455.103 "Unexpected occurrence" includes, but is not limited to,
14 fire, flood, earthquake or other cause of the movement of the
15 soil, or a riot, an accident, *a motor vehicle crash* or an act of
16 sabotage that causes damage to a subsurface installation which
17 requires immediate repair.

18 **Sec. 105.** NRS 455B.470 is hereby amended to read as
19 follows:

20 455B.470 1. A person using a recreation area who is
21 involved in a ~~collision~~ *motor vehicle crash* or an accident in which
22 another person is injured shall provide his or her name and current
23 address to the injured person and the operator or an authorized agent
24 or employee of the operator:

25 (a) Before the person leaves the vicinity of the ~~collision~~ *crash*
26 or accident; or

27 (b) As soon as reasonably possible after leaving the vicinity of
28 the ~~collision~~ *crash* or accident to secure aid for the injured person.

29 2. A person who violates a provision of this section is guilty of
30 a misdemeanor.

31 **Sec. 106.** NRS 459.38195 is hereby amended to read as
32 follows:

33 459.38195 1. The Division may investigate an accident *or a*
34 *motor vehicle crash* occurring in connection with a process that
35 involves one or more highly hazardous substances or explosives at a
36 facility which results in an uncontrolled emission, fire or explosion
37 and which presented an imminent and substantial danger to the
38 health of the employees of the facility, the public health or the
39 environment, to determine the cause of the accident *or motor*
40 *vehicle crash* if the owner or operator of the facility:

41 (a) Is unwilling to commence and has not commenced an
42 investigation in a timely manner; or

43 (b) Is not capable of and has not retained expertise capable of
44 conducting an investigation.



1 2. If the Division chooses to conduct such an investigation, the
2 owner or operator of the facility shall, in a manner consistent with
3 the safety of the employees of the Division and the facility, and
4 without placing an undue burden on the operation of the facility,
5 cooperate with the Division by:

6 (a) Allowing the Division:

7 (1) To investigate the accident *or crash* site and directly
8 related facilities, including, without limitation, control rooms;

9 (2) To examine physical evidence; and

10 (3) If practicable, to inspect equipment both externally and
11 internally;

12 (b) Providing the Division with pertinent documents; and

13 (c) Allowing the Division to conduct independent interviews of
14 the employees of the facility, subject to all rights of the facility and
15 the employees to be represented by legal counsel, management
16 representatives and union representatives during the interviews.

17 3. To the maximum extent feasible, the Division shall
18 coordinate any investigation it conducts pursuant to this section with
19 investigations conducted by other agencies with jurisdiction over the
20 facility to minimize any adverse impact on the facility and its
21 employees.

22 4. The Division may contract for the services of a technical
23 expert in conducting an investigation pursuant to this section and
24 may recover its costs for such services from the owner or operator
25 of the facility.

26 5. If an investigation is conducted by the Division pursuant to
27 this section, all costs incurred by the Division in conducting the
28 investigation, including, without limitation, the costs of services
29 provided pursuant to subsection 4, may be recovered by the Division
30 from the owner or operator of the facility at which the accident *or*
31 *crash* occurred.

32 6. The State Environmental Commission may adopt regulations
33 setting forth the procedures governing an investigation conducted by
34 the Division pursuant to this section and the procedures for the
35 recovery by the Division of all costs incurred by the Division in
36 conducting the investigation.

37 **Sec. 107.** NRS 459.3864 is hereby amended to read as
38 follows:

39 459.3864 1. When there is an accident *or motor vehicle*
40 *crash* which poses a significant danger to public health and safety,
41 or a near accident *or motor vehicle crash* of this nature, in a facility
42 or a group of facilities, or when the Governor declares that a
43 committee to oversee the management of risks in a facility, or group
44 of facilities, would be in the best interests of the public health and
45 safety, the Governor shall create such a committee for the facility or



1 group of facilities which may represent a catastrophic threat to
2 public health and safety.

3 2. To the extent practicable, the Governor shall appoint the
4 members of the committee from the membership of the State
5 Emergency Response Commission.

6 3. The Governor shall appoint to the committee at least three
7 persons who represent the facility or group of facilities which may
8 represent a catastrophic threat to public health and safety.

9 4. The Governor shall appoint the chair and may appoint a co-
10 chair of the committee from among the members.

11 5. The Division shall provide to the committee necessary
12 resources such as clerical assistance and funding sufficient for the
13 committee to perform its duties.

14 **Sec. 108.** NRS 459.500 is hereby amended to read as follows:

15 459.500 1. Except as otherwise provided in NRS 459.700 to
16 459.780, inclusive, or 459.800 to 459.856, inclusive:

17 (a) Regulations of the Commission must provide:

18 (1) For safety in the packaging, handling, transportation and
19 disposal of hazardous waste;

20 (2) For the certification of consultants involved in
21 consultation regarding the response to and the clean up of leaks of
22 hazardous waste, hazardous material or a regulated substance from
23 underground storage tanks, the clean up of spills of or accidents *or*
24 *motor vehicle crashes* involving hazardous waste, hazardous
25 material or a regulated substance, or the management of hazardous
26 waste;

27 (3) That a person employed full-time by a business to act as
28 such a consultant is exempt from the requirements of certification if
29 the person:

30 (I) Meets the applicable requirements of 29 C.F.R. §
31 1910.120 to manage such waste, materials or substances; and

32 (II) Is acting in the course of that full-time employment;
33 and

34 (4) For the certification of laboratories that perform analyses
35 for the purposes of NRS 459.400 to 459.600, inclusive, 459.610 to
36 459.658, inclusive, and 459.800 to 459.856, inclusive, to identify
37 whether waste is hazardous waste or to detect the presence of
38 hazardous waste or a regulated substance in soil or water.

39 (b) Regulations of the Commission may:

40 (1) Provide for the licensing and other necessary regulation
41 of generators, including shippers and brokers, who cause that waste
42 to be transported into or through Nevada or for disposal in Nevada;

43 (2) Require that the person responsible for a spill, leak, ~~for~~
44 accident *or motor vehicle crash* involving hazardous waste,
45 hazardous material or a regulated substance, obtain advice on the



1 proper handling of the spill, leak, ~~or~~ accident *or motor vehicle*
2 *crash* from a consultant certified under the regulations adopted
3 pursuant to paragraph (a); and

4 (3) Establish standards relating to the education, experience,
5 performance and financial responsibility required for the
6 certification of consultants.

7 2. The regulations may include provisions for:

8 (a) Fees to pay the cost of inspection, certification and other
9 regulation, excluding any activities conducted pursuant to NRS
10 459.7052 to 459.728, inclusive; and

11 (b) Administrative penalties of not more than \$2,500 per
12 violation or \$10,000 per shipment for violations by persons licensed
13 by the Department, and the criminal prosecution of violations of its
14 regulations by persons who are not licensed by the Department.

15 3. Designated employees of the Department and the Nevada
16 Highway Patrol Division shall enforce the regulations of the
17 Commission relating to the transport and handling of hazardous
18 waste and the leakage or spill of that waste from packages.

19 **Sec. 109.** NRS 459.512 is hereby amended to read as follows:

20 459.512 1. The owner or operator of a facility for the
21 management of hazardous waste shall, in addition to any other
22 applicable fees, pay to the Department to offset partially the cost
23 incurred by the State Fire Marshal for training emergency personnel
24 who respond to the scene of accidents *or motor vehicle crashes*
25 involving hazardous materials a fee of \$4.50 per ton of the volume
26 received for the disposal of hazardous waste by the facility.

27 2. The owner or operator of a facility for the management of
28 hazardous waste shall, in addition to any other applicable fees, pay
29 to the Department to offset partially the cost incurred by the Public
30 Utilities Commission of Nevada for inspecting and otherwise
31 ensuring the safety of any shipment of hazardous materials
32 transported by rail car through or within this State a fee of \$1.50 per
33 ton of the volume received for the disposal of hazardous waste by
34 the facility.

35 3. The operator of such a facility shall pay the fees provided in
36 this section, based upon the volume of hazardous waste received by
37 the facility during each quarter of the calendar year, within 30 days
38 after the end of each quarter. The Department may assess and
39 collect a penalty of 2 percent of the unpaid balance for each month,
40 or portion thereof, that the fee remains due.

41 **Sec. 110.** NRS 459.535 is hereby amended to read as follows:

42 459.535 1. Except as otherwise provided in NRS 459.537
43 and subsection 2 of this section, the money in the Account for the
44 Management of Hazardous Waste may be expended only to pay the
45 costs of:



1 (a) The continuing observation or other management of
2 hazardous waste;

3 (b) Establishing and maintaining a program of certification of
4 consultants involved in the clean up of leaks of hazardous waste,
5 hazardous material or a regulated substance from underground
6 storage tanks or the clean up of spills of or accidents *or motor*
7 *vehicle crashes* involving hazardous waste, hazardous material or a
8 regulated substance;

9 (c) Training persons to respond to accidents , *motor vehicle*
10 *crashes* or other emergencies related to hazardous materials,
11 including any basic training by the State Fire Marshal which is
12 necessary to prepare personnel for advanced training related to
13 hazardous materials;

14 (d) Establishing and maintaining a program by the Public
15 Utilities Commission of Nevada to inspect and otherwise ensure the
16 safety of any shipment of hazardous materials transported by rail car
17 through or within the State; and

18 (e) Financial incentives and grants made in furtherance of the
19 program developed pursuant to paragraph (c) of subsection 2 of
20 NRS 459.485 for the minimization, recycling and reuse of
21 hazardous waste.

22 2. Money in the Account for the Management of Hazardous
23 Waste may be expended to provide matching money required as a
24 condition of any federal grant for the purposes of NRS 459.800 to
25 459.856, inclusive, or for any other purpose authorized by the
26 Legislature.

27 **Sec. 111.** NRS 459.537 is hereby amended to read as follows:

28 459.537 1. If the person responsible for a leak or spill of or
29 an accident *or motor vehicle crash* involving hazardous waste,
30 hazardous material or a regulated substance does not act promptly
31 and appropriately to clean and decontaminate the affected area
32 properly, and if his or her inaction presents an imminent and
33 substantial hazard to human health, public safety or the
34 environment, money from the Account for the Management of
35 Hazardous Waste may be expended to pay the costs of:

36 (a) Responding to the leak, spill , ~~leak~~ accident *or crash*;

37 (b) Coordinating the efforts of state, local and federal agencies
38 responding to the leak, spill , ~~leak~~ accident *or crash*;

39 (c) Managing the cleaning and decontamination of an area for
40 the disposal of hazardous waste or the site of the leak, spill , ~~leak~~
41 accident *or crash*;

42 (d) Removing or contracting for the removal of hazardous
43 waste, hazardous material or a regulated substance which presents
44 an imminent danger to human health, public safety or the
45 environment; or



1 (e) Services rendered in responding to the leak, spill, ~~for~~
2 accident ~~H~~ *or crash*, by consultants certified pursuant to regulations
3 adopted by the Commission.

4 2. Except as otherwise provided in this subsection or NRS
5 459.610 to 459.658, inclusive, the Director shall demand
6 reimbursement of the Account for money expended pursuant to
7 subsection 1 from any person who is responsible for the accident,
8 *crash*, leak or spill, or who owns or controls the hazardous waste,
9 hazardous material or a regulated substance, or the area used for the
10 disposal of the waste, material or substance. Payment of the
11 reimbursement is due within 60 days after the person receives notice
12 from the Director of the amount due. The provisions of this section
13 do not apply to a spill or leak of or an accident *or motor vehicle*
14 *crash* involving natural gas or liquefied petroleum gas while it is
15 under the responsibility of a public utility.

16 3. At the request of the Director, the Attorney General shall
17 initiate recovery by legal action of the amount of any unpaid
18 reimbursement plus interest at a rate determined pursuant to NRS
19 17.130 computed from the date of the incident.

20 4. As used in this section:

21 (a) "Does not act promptly and appropriately" means that the
22 person:

23 (1) Cannot be notified of the incident within 2 hours after the
24 initial attempt to contact the person;

25 (2) Does not, within 2 hours after receiving notification of
26 the incident, make an oral or written commitment to clean and
27 decontaminate the affected area properly;

28 (3) Does not act upon the commitment within 24 hours after
29 making it;

30 (4) Does not clean and decontaminate the affected area
31 properly; or

32 (5) Does not act immediately to clean and decontaminate the
33 affected area properly, if his or her inaction presents an imminent
34 and substantial hazard to human health, public safety or the
35 environment.

36 (b) "Responding" means any efforts to mitigate, attempt to
37 mitigate or assist in the mitigation of the effects of a leak or spill of
38 or an accident *or motor vehicle crash* involving hazardous waste,
39 hazardous material or a regulated substance, including, without
40 limitation, efforts to:

41 (1) Contain and dispose of the hazardous waste, hazardous
42 material or regulated substance.

43 (2) Clean and decontaminate the area affected by the leak,
44 spill, ~~for~~ accident ~~H~~ *or crash*.



1 (3) Investigate the occurrence of the leak, spill , ~~or~~ accident
2 ~~H~~ **or crash.**

3 **Sec. 112.** NRS 459.718 is hereby amended to read as follows:

4 459.718 1. A person responsible for the care, custody or
5 control of a hazardous material which is involved in an accident ,
6 **motor vehicle crash** or incident occurring during the transportation
7 of the hazardous material by a motor carrier, including any accident
8 , **motor vehicle crash** or incident occurring during any loading,
9 unloading or temporary storage of the hazardous material while it is
10 subject to active shipping papers and before it has reached its
11 ultimate consignee, shall notify the Division, consistent with the
12 requirements of 49 C.F.R. § 171.15, as soon as practicable if, as a
13 result of the hazardous material:

14 (a) A person is killed;

15 (b) A person receives injuries that require hospitalization;

16 (c) Any damage to property exceeds \$50,000;

17 (d) There is an evacuation of the general public for 1 hour or
18 more;

19 (e) One or more major transportation routes or facilities are
20 closed or shut down for 1 hour or more;

21 (f) There is an alteration in the operational flight pattern or
22 routine of any aircraft;

23 (g) Any radioactive contamination is suspected;

24 (h) Any contamination by an infectious substance is suspected;

25 (i) There is a release of a liquid marine pollutant in excess of
26 450 liters or a solid marine pollutant in excess of 400 kilograms; or

27 (j) Any situation exists at the site of the accident , **motor vehicle**
28 **crash** or incident which, in the judgment of the person responsible
29 for the care, custody or control of the hazardous material, should be
30 reported to the Division.

31 2. The notification required pursuant to this section must
32 include:

33 (a) The name of the person providing the notification;

34 (b) The name and address of the motor carrier represented by
35 that person;

36 (c) The telephone number where that person can be contacted;

37 (d) The date, time and location of the accident , **crash** or
38 incident;

39 (e) The extent of any injuries;

40 (f) The classification, name and quantity of the hazardous
41 material involved, if that information is available; and

42 (g) The type of accident , **crash** or incident, the nature of the
43 hazardous material involved and whether there is a continuing
44 danger to life at the scene of the accident , **crash** or incident.



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1 3. A person may satisfy the requirements of this section by
2 providing the information specified in subsection 2 to the person
3 who responds to a telephone call placed to:

4 (a) The number 911 in an area where that number is used for
5 emergencies; or

6 (b) The number zero in an area where the number 911 is not
7 used for emergencies.

8 **Sec. 113.** NRS 459.735 is hereby amended to read as follows:

9 459.735 1. The Contingency Account for Hazardous
10 Materials is hereby created in the State General Fund.

11 2. The Commission shall administer the Contingency Account
12 for Hazardous Materials. Except as otherwise provided in subsection
13 4, the money in the Account may be expended for:

14 (a) Carrying out the provisions of NRS 459.735 to 459.773,
15 inclusive;

16 (b) Carrying out the provisions of 42 U.S.C. §§ 11001 et seq.
17 and 49 U.S.C. §§ 5101 et seq.;

18 (c) Maintaining and supporting the operations of the
19 Commission and local emergency planning committees;

20 (d) Training and equipping state and local personnel to respond
21 to accidents , *motor vehicle crashes* and incidents involving
22 hazardous materials;

23 (e) The operation of training programs and a training center for
24 handling emergencies relating to hazardous materials and related
25 fires pursuant to NRS 477.045; and

26 (f) Any other purpose authorized by the Legislature.

27 3. All money received by this State pursuant to 42 U.S.C. §§
28 11001 et seq. or 49 U.S.C. §§ 5101 et seq. must be deposited with
29 the State Treasurer to the credit of the Contingency Account for
30 Hazardous Materials. In addition, all money received by the
31 Commission from any source must be deposited with the State
32 Treasurer to the credit of the Contingency Account for Hazardous
33 Materials. The State Controller shall transfer from the Contingency
34 Account to the Operating Account of the State Fire Marshal such
35 money collected pursuant to chapter 477 of NRS as is authorized for
36 expenditure in the budget of the State Fire Marshal for use pursuant
37 to paragraph (e) of subsection 2.

38 4. Any fees deposited with the State Treasurer for credit to the
39 Contingency Account for Hazardous Materials pursuant to
40 subsection 5 of NRS 482.379365 must be accounted for separately
41 and must be expended to provide financial assistance to this State or
42 to local governments in this State to support preparedness to combat
43 terrorism, including, without limitation, planning, training and
44 purchasing supplies and equipment, or for any other purpose
45 authorized by the Legislature.



1 5. Upon the presentation of budgets in the manner required by
2 law, money to support the operation of the Commission pursuant to
3 this chapter, other than its provision of grants, must be provided by
4 direct legislative appropriation from the State Highway Fund or
5 other legislative authorization to the Contingency Account for
6 Hazardous Materials.

7 6. The interest and income earned on the money in the
8 Contingency Account for Hazardous Materials, after deducting any
9 applicable charges, must be credited to the Account.

10 7. All claims against the Contingency Account for Hazardous
11 Materials must be paid as other claims against the State are paid.

12 **Sec. 114.** NRS 459.748 is hereby amended to read as follows:
13 459.748 As used in NRS 459.750 to 459.770, inclusive:

14 1. "Does not act promptly and appropriately" means that the
15 person:

16 (a) Cannot be notified of the incident within 2 hours after the
17 initial attempt to contact the person;

18 (b) Does not, within 2 hours after receiving notification of the
19 incident, make an oral or written commitment to clean and
20 decontaminate the affected area properly;

21 (c) Does not act upon the commitment within 24 hours after
22 making it;

23 (d) Does not clean and decontaminate the affected area properly;
24 or

25 (e) Does not act immediately to clean and decontaminate the
26 affected area properly, if the inaction of the person presents an
27 imminent and substantial hazard to human health, public safety or
28 the environment.

29 2. "Responding" means any efforts to mitigate, attempt to
30 mitigate or assist in the mitigation of the effects of a spill of or
31 accident *or motor vehicle crash* involving hazardous material,
32 including, without limitation, efforts to:

33 (a) Contain and dispose of the hazardous material.

34 (b) Clean and decontaminate the area affected by the spill , ~~or~~
35 accident ~~or~~ *or crash*.

36 (c) Investigate the occurrence of the spill , ~~or~~ accident ~~or~~ *or*
37 *crash*.

38 **Sec. 115.** NRS 459.750 is hereby amended to read as follows:

39 459.750 Any person who possessed or had in his or her care
40 any hazardous material involved in a spill , ~~or~~ accident *or motor*
41 *vehicle crash* requiring the cleaning and decontamination of the
42 affected area is responsible for that cleaning and decontamination.

43 **Sec. 116.** NRS 459.755 is hereby amended to read as follows:

44 459.755 If the person responsible for hazardous material
45 involved in a spill , ~~or~~ accident *or motor vehicle crash* does not



1 act promptly and appropriately to clean and decontaminate the
2 affected area, and if the inaction of the person presents an imminent
3 and substantial hazard to human health, public safety, any property
4 or the environment, money from the Contingency Account for
5 Hazardous Materials may be expended to pay the costs of:

6 1. Responding to a spill of or an accident *or motor vehicle*
7 *crash* involving hazardous material;

8 2. Coordinating the efforts of state, local and federal agencies
9 responding to a spill of or an accident *or motor vehicle crash*
10 involving hazardous material;

11 3. Managing the cleaning and decontamination of an area for
12 the disposal of hazardous material or the site of a spill of or an
13 accident *or motor vehicle crash* involving hazardous material; or

14 4. Removing or contracting for the removal of hazardous
15 material which presents an imminent danger to human health, public
16 safety or the environment.

17 **Sec. 117.** NRS 459.760 is hereby amended to read as follows:

18 459.760 1. Except as otherwise provided in this subsection,
19 any state agency accruing expenses in responding to a spill of or an
20 accident *or motor vehicle crash* involving hazardous material may
21 present an itemized accounting of those expenses with a demand for
22 reimbursement of those expenses to the person responsible for the
23 hazardous material. Payment of the reimbursement must be made
24 within 60 days after the person receives notice from the agency of
25 the amount due. The provisions of this section do not apply to a spill
26 of or an accident *or motor vehicle crash* involving natural gas or
27 liquefied petroleum gas while it is under the responsibility of a
28 public utility.

29 2. If the state agency cannot recover the full amount of
30 reimbursement from the person responsible, it may report to the
31 Commission its need for additional funding. The Commission shall
32 notify the Senate Standing Committee on Finance and the Assembly
33 Standing Committee on Ways and Means during a regular or special
34 session of the Legislature, or the Interim Finance Committee if the
35 Legislature is not in session, of the state agency's need for
36 additional funding.

37 3. At the request of the state agency, and at any time after the
38 payment for reimbursement is due, the Attorney General shall
39 initiate recovery by legal action of the amount of any unpaid
40 reimbursement plus interest at a rate determined pursuant to NRS
41 17.130 computed from the date of the incident.

42 **Sec. 118.** NRS 459.765 is hereby amended to read as follows:

43 459.765 Any reimbursement and penalty recovered by the
44 Attorney General from a person responsible for hazardous material
45 involved in a spill or accident *or motor vehicle crash* must be



1 deposited with the State Treasurer for credit to the Contingency
2 Account for Hazardous Materials.

3 **Sec. 119.** NRS 459.770 is hereby amended to read as follows:

4 459.770 Any county or city in this State may adopt an
5 ordinance authorizing its legal representative to initiate recovery by
6 legal action from the person responsible for any hazardous material
7 involved in a spill , ~~to~~ accident *or motor vehicle crash* of the
8 amount of any costs incurred by the county or city in responding to
9 the spill of or accident *or motor vehicle crash* involving hazardous
10 material.

11 **Sec. 120.** NRS 459.773 is hereby amended to read as follows:

12 459.773 1. The State Fire Marshal shall, in cooperation with
13 local fire departments, develop a reference guide for use by state
14 and local personnel who respond to accidents , *motor vehicle*
15 *crashes* and incidents involving hazardous materials. The reference
16 guide must provide information which is readily accessible
17 regarding procedures for responding to the first critical moments of
18 an accident , *motor vehicle crash* or incident involving hazardous
19 materials.

20 2. The State Fire Marshal shall make available, upon request,
21 the reference guide developed pursuant to subsection 1 to local
22 governments, state and local personnel who respond to accidents ,
23 *motor vehicle crashes* and incidents involving hazardous materials
24 and students enrolled in training programs for responding to
25 accidents , *motor vehicle crashes* and incidents involving hazardous
26 materials.

27 **Sec. 121.** NRS 459.930 is hereby amended to read as follows:

28 459.930 1. Notwithstanding any other provision of law to the
29 contrary and regardless of whether he or she is a participant in a
30 program, a person who:

31 (a) Is a bona fide prospective purchaser is not liable for any
32 response action or cleanup that may be required with respect to any
33 real property pursuant to NRS 445A.300 to 445A.730, inclusive,
34 445B.100 to 445B.640, inclusive, 459.400 to 459.600, inclusive, or
35 any other applicable provision of law.

36 (b) Is an innocent purchaser is not liable for any response action
37 or cleanup that may be required with respect to any real property
38 pursuant to NRS 445A.300 to 445A.730, inclusive, 445B.100 to
39 445B.640, inclusive, 459.400 to 459.600, inclusive, or any other
40 applicable provision of law.

41 (c) Owns real property that:

42 (1) Is contiguous to or otherwise similarly situated with
43 respect to; and

44 (2) Is or may be contaminated by a release or threatened
45 release of a hazardous substance from,



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1 ↳ other real property that the person does not own, is not liable for
2 any response action or cleanup that may be required with respect to
3 the release or threatened release, provided that the person meets the
4 requirements set forth in section 107(q)(1) of the Comprehensive
5 Environmental Response, Compensation, and Liability Act of 1980,
6 42 U.S.C. § 9607(q)(1).

7 2. A person described in paragraph (a), (b) or (c) of subsection
8 1 shall report to the Division, in a manner prescribed by the
9 Commission:

10 (a) Any of the following substances that are found on or at real
11 property owned by the person:

12 (1) Hazardous substances at or above the required reporting
13 levels designated pursuant to sections 102 and 103 of the
14 Comprehensive Environmental Response, Compensation, and
15 Liability Act of 1980, 42 U.S.C. §§ 9602 and 9603; and

16 (2) Petroleum products of such type and in such amount as
17 are required by the Division to be reported; and

18 (b) Any response action or cleanup that has been performed with
19 respect to the real property described in paragraph (a).

20 3. The provisions of this section do not otherwise limit the
21 authority of the Administrator, the Commission or the Division to
22 require any person who is responsible for the contamination or
23 pollution of real property, by improperly managing hazardous
24 substances at or on that real property, to perform a response action
25 or cleanup with respect to that real property.

26 4. If there are costs relating to a response action or cleanup that
27 are incurred and unrecovered by the State of Nevada with respect to
28 real property for which a bona fide prospective purchaser of the real
29 property is not liable pursuant to the provisions of this section, the
30 State of Nevada:

31 (a) Has a lien against that real property in an amount not to
32 exceed the increase in the fair market value of the real property that
33 is attributable to the response action or cleanup, which increase in
34 fair market value must be measured at the time of the sale or other
35 disposition of the real property; or

36 (b) May, with respect to those incurred and unrecovered costs
37 and by agreement with the bona fide prospective purchaser of the
38 real property, obtain from that bona fide prospective purchaser:

39 (1) A lien on any other real property owned by the bona fide
40 prospective purchaser; or

41 (2) Another form of assurance or payment that is satisfactory
42 to the Administrator.

43 5. The provisions of this section:

44 (a) Do not affect the liability in tort of any party; and



1 (b) Apply only to real property that is acquired on or after the
2 date that is 60 days after May 26, 2003.

3 6. As used in this section:

4 (a) "Administrator" means the Administrator of the Division.

5 (b) "Bona fide prospective purchaser" has the meaning ascribed
6 to it in section 101(40) of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980, 42 U.S.C. §
8 9601(40).

9 (c) "Commission" means the State Environmental Commission.

10 (d) "Division" means the Division of Environmental Protection
11 of the State Department of Conservation and Natural Resources.

12 (e) "Hazardous substance" has the meaning ascribed to it in
13 NRS 459.620.

14 (f) "Innocent purchaser" means a person who qualifies for the
15 exemption from liability set forth in section 107(b)(3) of the
16 Comprehensive Environmental Response, Compensation, and
17 Liability Act of 1980, 42 U.S.C. § 9607(b)(3).

18 (g) "Participant" has the meaning ascribed to it in NRS 459.622.

19 (h) "Program" means a program of voluntary cleanup and relief
20 from liability set forth in NRS 459.610 to 459.658, inclusive.

21 (i) "Response action" means any action to mitigate, attempt to
22 mitigate or assist in the mitigation of the effects of a leak or spill of
23 or an accident *or motor vehicle crash* involving a hazardous
24 substance, including, without limitation, any action to:

25 (1) Contain and dispose of the hazardous substance;

26 (2) Clean and decontaminate the area affected by the leak,
27 spill, ~~leak~~ accident ~~leak~~ *or crash*; or

28 (3) Investigate the occurrence of the leak, spill, ~~leak~~ accident
29 ~~leak~~ *or crash*.

30 **Sec. 122.** NRS 590.615 is hereby amended to read as follows:

31 590.615 When the Board finds, under such conditions as may
32 arise, a variation from its rules, regulations or specifications which
33 does not impair the safety of the public and persons using the
34 materials which would otherwise be secure by compliance with such
35 rules, regulations or specifications, the Board may, upon written
36 application, consideration and investigation, grant a variance from
37 the terms of the rules, regulations or specifications on such
38 conditions as it may specify to insure the safety of the public and
39 persons using the materials or services. In granting the variance, the
40 Board shall take into consideration one or more of the following
41 circumstances or conditions and the application shall specify which
42 of them are relied upon:

43 1. The purpose and meaning embodied in the regulation from
44 which the variance is requested and its relative importance in
45 balancing the interests of the licensee and the community or public.



1 2. The reasons why the rules, regulations or specifications
2 cannot be complied with.

3 3. If a consumer tank is involved, whether or not a fire hazard
4 will be created or is maintained.

5 4. The openings which may or may not be made into any
6 buildings below any regulator or container vents.

7 5. Whether or not the adjacent walls or exposures are fireproof.

8 6. Whether or not the installation will be safe in the event the
9 variance is allowed.

10 7. Whether or not the installation will be exposed to ~~collision~~
11 *crashes* by moving vehicles.

12 8. Any other factors or considerations which impose a hardship
13 on the licensee or which the Board deems appropriate for the
14 granting of a variance.

15 **Sec. 123.** NRS 618.015 is hereby amended to read as follows:

16 618.015 1. It is the purpose of this chapter to provide safe
17 and healthful working conditions for every employee by:

18 (a) Establishing regulations;

19 (b) Effectively enforcing such regulations;

20 (c) Educating and training employees; and

21 (d) Establishing reporting procedures for job-related accidents ,
22 *motor vehicle crashes* and illnesses.

23 2. The Legislature finds that such safety and health in
24 employment is a matter greatly affecting the public interest of this
25 State.

26 **Sec. 124.** NRS 618.378 is hereby amended to read as follows:

27 618.378 1. Any accident *or motor vehicle crash* occurring in
28 the course of employment which is fatal to one or more employees
29 or which results in the hospitalization of three or more employees
30 must be reported by the employer orally to the nearest office of the
31 Division within 8 hours after the time that the accident *or crash* is
32 reported to any agent or employee of the employer. A report
33 submitted to the Division pursuant to the provisions of this
34 subsection must include:

35 (a) The name of the employer;

36 (b) The location and time of the accident ~~+~~ *or crash*;

37 (c) The number of employees killed or hospitalized as a result of
38 the accident ~~+~~ *or crash*;

39 (d) A brief description of the accident ~~+~~ *or crash*; and

40 (e) The name of a person who may be contacted by the Division
41 for further information.

42 ➔ Upon receipt of such a report, the Division shall notify the
43 employer of the estimated time that the Division's investigator will
44 arrive at the site of the accident ~~+~~ *or crash*. The Division shall



1 initiate an investigation at the site of the accident *or crash* within 8
2 hours after receiving the report.

3 2. An industrial insurer shall provide to the Division a monthly
4 report setting forth the number, type and severity of industrial
5 injuries and occupational diseases reported or claimed by employees
6 in the preceding month. The report must identify the employer and
7 be sorted according to the employer's Standard Industrial
8 Classification or classification for the purposes of industrial
9 insurance. The Division shall by regulation prescribe the form for
10 the report made pursuant to this subsection. As used in this
11 subsection, "industrial insurer" has the meaning ascribed to the term
12 "insurer" in NRS 616A.270.

13 3. All employers shall maintain accurate records and make
14 reports to the United States Assistant Secretary of Labor in the same
15 manner and to the same extent as if this chapter were not in effect.

16 4. The Division shall make such reasonable reports to the
17 Assistant Secretary of Labor in such form and containing such
18 information as the Assistant Secretary of Labor may from time to
19 time require.

20 5. Requests for variances to federal recordkeeping and
21 reporting regulations must be submitted to and obtained from the
22 Bureau of Labor Statistics, United States Department of Labor. All
23 variances granted by the Bureau of Labor Statistics must be
24 respected by the Division.

25 **Sec. 125.** NRS 618.3785 is hereby amended to read as
26 follows:

27 618.3785 1. If an accident *or motor vehicle crash* occurs in
28 the course of employment which is fatal to one or more employees
29 or which results in the hospitalization of three or more injured
30 employees, the Division shall, as soon as practicable:

31 (a) Provide to each injured employee, the immediate family of
32 each deceased or injured employee and each representative of each
33 deceased or injured employee a written description of the rights of
34 such persons with regard to an investigation of the accident ~~or~~ *or*
35 *crash*; and

36 (b) Notify each injured employee, the immediate family of each
37 deceased or injured employee and each representative of each
38 deceased or injured employee of:

39 (1) The commencement by the Division of any investigation
40 of the accident ~~or~~ *or crash*;

41 (2) The result of any informal conference between the
42 employer and the Division;

43 (3) The finalization of any agreement between an employer
44 and the Division which formally settles an issue related to the
45 accident ~~or~~ *or crash*;



1 (4) The issuance of any citation under the provisions of this
2 chapter related to the accident ~~†~~ *or crash*;

3 (5) The receipt by the Division of notice from an employer
4 that the employer wishes to contest or appeal any action or decision
5 of the Division which relates to the accident ~~†~~ *or crash*; and

6 (6) The completion by the Division and, if applicable, the
7 Board of any investigation of the accident *or crash* and any
8 proceeding related to the accident ~~†~~ *or crash*.

9 2. As used in this section, “representative of each deceased or
10 injured employee” means:

11 (a) A person previously identified to the Division as an
12 authorized representative of the employee bargaining unit of a labor
13 organization which has a collective bargaining relationship with the
14 employer of the employee and represents the employee.

15 (b) An attorney acting on behalf of the employee.

16 (c) A person designated by a court to act as the official
17 representative for the employee or the estate of the employee.

18 **Sec. 126.** NRS 618.379 is hereby amended to read as follows:

19 618.379 1. Except as otherwise provided in subsection 2, if
20 any accident *or motor vehicle crash* occurring in the course of
21 employment is fatal to one or more employees or results in the
22 hospitalization of three or more employees, and is caused, in whole
23 or in part, by any equipment located at the site of the accident ~~†~~ *or*
24 *crash*, no person may dismantle or otherwise move that equipment
25 until the Division has investigated the accident *or crash* and has
26 authorized the dismantling or removal of the equipment.

27 2. The provisions of subsection 1 do not apply if the
28 dismantling or removal of the equipment is necessary to free any
29 person trapped by the equipment or to ensure the safety of or to
30 prevent further injury to any person. If any equipment is dismantled
31 or moved to free a trapped person, the equipment may be dismantled
32 or moved only to the extent necessary to free the person.

33 3. Upon the occurrence of an accident *or crash* described in
34 subsection 1, the employer of an injured employee shall, upon the
35 arrival of an investigator of the Division at the site of the accident ~~†~~
36 *or crash*, make available for questioning in a reasonable amount of
37 time any person employed by the employer who is determined by
38 the investigator to be necessary for the completion of the
39 investigation, including the immediate supervisor of any injured
40 employee and any employee who witnessed the accident ~~†~~ *or*
41 *crash*.

42 4. As used in this section, “accident *or motor vehicle crash*
43 occurring in the course of employment” does not include:

44 (a) An accident *or crash* involving a motor vehicle that is being
45 operated on a public highway in this State.



1 (b) A homicide committed at an employer's place of business.

2 **Sec. 127.** NRS 618.475 is hereby amended to read as follows:

3 618.475 1. If, after an inspection or investigation, the
4 Division issues a citation under the provisions of this chapter, it
5 shall, within a reasonable time after the termination of the inspection
6 or investigation, notify the employer by certified mail of the penalty,
7 if any, proposed to be assessed under this chapter and that the
8 employer has 15 working days within which to notify the Division
9 that the employer wishes to contest the citation or proposed
10 assessment of penalty. If, within 15 working days from the receipt
11 of the notice issued by the Division, the employer fails to notify the
12 Division that the employer intends to contest the citation or
13 proposed assessment of penalty, and no notice is filed by any
14 employee or representative of employees under this chapter within
15 such time, the citation and assessment as proposed shall be deemed
16 a final order of the review board and not subject to review by any
17 court or agency. Upon a showing by an employer of a good faith
18 effort to comply with the abatement requirements of a citation, and
19 that the abatement has not been completed because of factors
20 beyond the reasonable control of the employer, the Division shall
21 issue an order affirming or modifying the abatement requirements in
22 the citation.

23 2. In the case of an accident *or motor vehicle crash* occurring
24 in the course of employment which is fatal to one or more
25 employees, if an employer notifies the Division that the employer
26 wishes to contest a citation or proposed assessment of penalty, the
27 Division shall provide the Board with information as to how to
28 contact the immediate family of each deceased employee.

29 3. Any employee or the representative of the employee alleging
30 that the time fixed in the citation for the abatement of a violation by
31 his or her employer is unreasonable may, within 15 working days
32 after the date of posting of the notice of abatement pursuant to this
33 chapter, file an appeal with the Division to contest the
34 reasonableness of the period of time for abatement of the violation
35 and must be notified in writing as to the time and place of hearing
36 before the review board.

37 4. If no appeal is filed by an employee or the representative of
38 the employee under subsection 2 of this section within the time limit
39 of 15 working days, the period of time fixed for the abatement of the
40 violation is final and not subject to review by any court or the
41 review board.

42 **Sec. 128.** NRS 618.480 is hereby amended to read as follows:

43 618.480 1. During an investigation of an accident *or motor*
44 *vehicle crash* occurring in the course of employment which is fatal
45 to one or more employees, the Division shall use its best efforts to



1 interview the immediate family of each deceased employee to obtain
2 any information relevant to the investigation, including, without
3 limitation, information which the deceased employee shared with
4 the immediate family.

5 2. If, after the investigation of the accident ~~H~~ *or crash*, the
6 Division issues a citation under the provisions of this chapter, the
7 Division shall offer to enter into a discussion with the immediate
8 family of each deceased employee within a reasonable time after the
9 Division issues the citation.

10 3. During the discussion described in subsection 2, the
11 Division shall provide each family with:

12 (a) Information regarding the citation and abatement process;

13 (b) Information regarding the means by which the family may
14 obtain a copy of the final incident report and abatement decision of
15 the Division; and

16 (c) Any other information that the Division deems relevant and
17 necessary to inform the family of the outcome of the investigation
18 by the Division.

19 **Sec. 129.** NRS 618.605 is hereby amended to read as follows:

20 618.605 1. Upon the receipt of any written appeal or notice
21 of contest under NRS 618.475, the Division shall within 15 working
22 days notify the Board of such an appeal or contest.

23 2. The Board shall hold a formal fact-finding hearing and
24 render its decision based on the evidence presented at the hearing.

25 3. Prior to any formal fact-finding hearing involving a citation
26 for an accident *or motor vehicle crash* occurring in the course of
27 employment which is fatal to one or more employees, the Board
28 shall notify the immediate family of each deceased employee of:

29 (a) The time and place of the hearing; and

30 (b) The fact that the hearing is open to the public.

31 4. Any employee of an employer or representative of the
32 employee may participate in and give evidence at the hearing,
33 subject to rules and regulations of the Board governing the conduct
34 of such hearings.

35 **Sec. 130.** NRS 634.018 is hereby amended to read as follows:

36 634.018 “Unprofessional conduct” means:

37 1. Obtaining a certificate upon fraudulent credentials or gross
38 misrepresentation.

39 2. Procuring, or aiding or abetting in procuring, criminal
40 abortion.

41 3. Assuring that a manifestly incurable disease can be
42 permanently cured.

43 4. Advertising, by any form of public communication, a
44 chiropractic practice:

45 (a) Using grossly improbable statements; or



1 (b) In any manner that will tend to deceive, defraud or mislead
2 the public.

3 ➔ As used in this subsection, “public communication” includes, but
4 is not limited to, communications by means of television, radio,
5 newspapers, books and periodicals, motion picture, handbills or
6 other printed matter.

7 5. Willful disobedience of the law, or of the regulations of the
8 State Board of Health or of the Chiropractic Physicians’ Board of
9 Nevada.

10 6. Conviction of any offense involving moral turpitude, or the
11 conviction of a felony. The record of the conviction is conclusive
12 evidence of unprofessional conduct.

13 7. Administering, dispensing or prescribing any controlled
14 substance.

15 8. Conviction or violation of any federal or state law regulating
16 the possession, distribution or use of any controlled substance. The
17 record of conviction is conclusive evidence of unprofessional
18 conduct.

19 9. Habitual intemperance or excessive use of alcohol or
20 alcoholic beverages or any controlled substance.

21 10. Conduct unbecoming a person licensed to practice
22 chiropractic or detrimental to the best interests of the public.

23 11. Violating, or attempting to violate, directly or indirectly, or
24 assisting in or abetting the violation of, or conspiring to violate, any
25 provision of this chapter or the regulations adopted by the Board, or
26 any other statute or regulation pertaining to the practice of
27 chiropractic.

28 12. Employing, directly or indirectly, any suspended or
29 unlicensed practitioner in the practice of any system or mode of
30 treating the sick or afflicted, or the aiding or abetting of any
31 unlicensed person to practice chiropractic under this chapter.

32 13. Repeated malpractice, which may be evidenced by claims
33 of malpractice settled against a practitioner.

34 14. Solicitation by the licensee or the licensee’s designated
35 agent of any person who, at the time of the solicitation, is vulnerable
36 to undue influence, including, without limitation, any person known
37 by the licensee to have recently been involved in a motor vehicle
38 ~~accident,~~ **crash**, involved in a work-related accident, or injured by,
39 or as the result of the actions of, another person. As used in this
40 subsection:

41 (a) “Designated agent” means a person who renders service to a
42 licensee on a contract basis and is not an employee of the licensee.

43 (b) “Solicitation” means the attempt to acquire a new patient
44 through information obtained from a law enforcement agency,
45 medical facility or the report of any other party, which information



1 indicates that the potential new patient may be vulnerable to undue
2 influence, as described in this subsection.

3 15. Employing, directly or indirectly, any person as a
4 chiropractor's assistant unless the person has been issued a
5 certificate by the Board pursuant to NRS 634.123, or has applied for
6 such a certificate and is awaiting the determination of the Board
7 concerning the application.

8 16. Aiding, abetting, commanding, counseling, encouraging,
9 inducing or soliciting an insurer or other third-party payor to reduce
10 or deny payment or reimbursement for the care or treatment of a
11 patient, unless such action is supported by:

12 (a) The medical records of the patient; or

13 (b) An examination of the patient by the chiropractic physician
14 taking such action.

15 17. Violating a lawful order of the Board, a lawful agreement
16 with the Board, or any of the provisions of this chapter or any
17 regulation adopted pursuant thereto.

18 **Sec. 131.** NRS 648.012 is hereby amended to read as follows:

19 648.012 "Private investigator" means any person who for any
20 consideration engages in business or accepts employment to furnish,
21 or agrees to make or makes any investigation for the purpose of
22 obtaining, including, without limitation, through the review,
23 analysis and investigation of computerized data not available to the
24 public, information with reference to:

25 1. The identity, habits, conduct, business, occupation, honesty,
26 integrity, credibility, knowledge, trustworthiness, efficiency, loyalty,
27 activity, movement, whereabouts, affiliations, associations,
28 transactions, acts, reputation or character of any person;

29 2. The location, disposition or recovery of lost or stolen
30 property;

31 3. The cause or responsibility for fires, libels, losses, accidents
32 , *motor vehicle crashes* or damage or injury to persons or to
33 property;

34 4. A crime or tort that has been committed, attempted,
35 threatened or suspected, except an expert witness or a consultant
36 who is retained for litigation or a trial, or in anticipation of litigation
37 or a trial, and who performs duties and tasks within his or her field
38 of expertise that are necessary to form his or her opinion;

39 5. Securing evidence to be used before any court, board, officer
40 or investigating committee; or

41 6. The prevention, detection and removal of surreptitiously
42 installed devices for eavesdropping or observation.



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1 **Sec. 131.3.** Chapter 679A of NRS is hereby amended by
2 adding a new section to read as follows:

3 *The term “crash” has the same meaning as an incident or*
4 *event previously referred to as an “accident” when used in*
5 *reference to motor vehicles.*

6 **Sec. 132.** NRS 687B.145 is hereby amended to read as
7 follows:

8 687B.145 1. Any policy of insurance or endorsement
9 providing coverage under the provisions of NRS 690B.020 or other
10 policy of casualty insurance may provide that if the insured has
11 coverage available to the insured under more than one policy or
12 provision of coverage, any recovery or benefits may equal but not
13 exceed the higher of the applicable limits of the respective
14 coverages, and the recovery or benefits must be prorated between
15 the applicable coverages in the proportion that their respective limits
16 bear to the aggregate of their limits. Any provision which limits
17 benefits pursuant to this section must be in clear language and be
18 prominently displayed in the policy, binder or endorsement. Any
19 limiting provision is void if the named insured has purchased
20 separate coverage on the same risk and has paid a premium
21 calculated for full reimbursement under that coverage.

22 2. Except as otherwise provided in subsection 5, insurance
23 companies transacting motor vehicle insurance in this State must
24 offer, on a form approved by the Commissioner, uninsured and
25 underinsured vehicle coverage in an amount equal to the limits of
26 coverage for bodily injury sold to an insured under a policy of
27 insurance covering the use of a passenger car. The insurer is not
28 required to reoffer the coverage to the insured in any replacement,
29 reinstatement, substitute or amended policy, but the insured may
30 purchase the coverage by requesting it in writing from the insurer.
31 Each renewal must include a copy of the form offering such
32 coverage. Uninsured and underinsured vehicle coverage must
33 include a provision which enables the insured to recover up to the
34 limits of the insured’s own coverage any amount of damages for
35 bodily injury from the insured’s insurer which the insured is legally
36 entitled to recover from the owner or operator of the other vehicle to
37 the extent that those damages exceed the limits of the coverage for
38 bodily injury carried by that owner or operator. If an insured suffers
39 actual damages subject to the limitation of liability provided
40 pursuant to NRS 41.035, underinsured vehicle coverage must
41 include a provision which enables the insured to recover up to the
42 limits of the insured’s own coverage any amount of damages for
43 bodily injury from the insured’s insurer for the actual damages
44 suffered by the insured that exceed that limitation of liability.



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1 3. An insurance company transacting motor vehicle insurance
2 in this State must offer an insured under a policy covering the use of
3 a passenger car, the option of purchasing coverage in an amount of
4 at least \$1,000 for the payment of reasonable and necessary medical
5 expenses resulting from ~~an accident.~~ a crash. The offer must be
6 made on a form approved by the Commissioner. The insurer is not
7 required to reoffer the coverage to the insured in any replacement,
8 reinstatement, substitute or amended policy, but the insured may
9 purchase the coverage by requesting it in writing from the insurer.
10 Each renewal must include a copy of the form offering such
11 coverage.

12 4. An insurer who makes a payment to an injured person on
13 account of underinsured vehicle coverage as described in subsection
14 2 is not entitled to subrogation against the underinsured motorist
15 who is liable for damages to the injured payee. This subsection does
16 not affect the right or remedy of an insurer under subsection 5 of
17 NRS 690B.020 with respect to uninsured vehicle coverage. As used
18 in this subsection, "damages" means the amount for which the
19 underinsured motorist is alleged to be liable to the claimant in
20 excess of the limits of bodily injury coverage set by the
21 underinsured motorist's policy of casualty insurance.

22 5. An insurer need not offer, provide or make available
23 uninsured or underinsured vehicle coverage in connection with a
24 general commercial liability policy, an excess policy, an umbrella
25 policy or other policy that does not provide primary motor vehicle
26 insurance for liabilities arising out of the ownership, maintenance,
27 operation or use of a specifically insured motor vehicle.

28 6. As used in this section:

29 (a) "Excess policy" means a policy that protects a person against
30 loss in excess of a stated amount or in excess of coverage provided
31 pursuant to another insurance contract.

32 (b) "Passenger car" has the meaning ascribed to it in
33 NRS 482.087.

34 (c) "Umbrella policy" means a policy that protects a person
35 against losses in excess of the underlying amount required to be
36 covered by other policies.

37 **Sec. 133.** NRS 690B.020 is hereby amended to read as
38 follows:

39 690B.020 1. Except as otherwise provided in this section and
40 NRS 690B.035, no policy insuring against liability arising out of the
41 ownership, maintenance or use of any motor vehicle may be
42 delivered or issued for delivery in this State unless coverage is
43 provided therein or supplemental thereto for the protection of
44 persons insured thereunder who are legally entitled to recover
45 damages, from owners or operators of uninsured or hit-and-run



1 motor vehicles, for bodily injury, sickness or disease, including
2 death, resulting from the ownership, maintenance or use of the
3 uninsured or hit-and-run motor vehicle. No such coverage is
4 required in or supplemental to a policy issued to the State of Nevada
5 or any political subdivision thereof, or where rejected in writing, on
6 a form furnished by the insurer describing the coverage being
7 rejected, by an insured named therein, or upon any renewal of such
8 a policy unless the coverage is then requested in writing by the
9 named insured. The coverage required in this section may be
10 referred to as “uninsured vehicle coverage.”

11 2. The amount of coverage to be provided must be not less than
12 the minimum limits for liability insurance for bodily injury provided
13 for under chapter 485 of NRS, but may be in an amount not to
14 exceed the coverage for bodily injury purchased by the
15 policyholder.

16 3. For the purposes of this section, the term “uninsured motor
17 vehicle” means a motor vehicle:

18 (a) With respect to which there is not available at the
19 Department of Motor Vehicles evidence of financial responsibility
20 as required by chapter 485 of NRS;

21 (b) With respect to the ownership, maintenance or use of which
22 there is no liability insurance for bodily injury or bond applicable at
23 the time of the ~~{accident}~~ *crash* or, to the extent of such deficiency,
24 any liability insurance for bodily injury or bond in force is less than
25 the amount required by NRS 485.210;

26 (c) With respect to the ownership, maintenance or use of which
27 the company writing any applicable liability insurance for bodily
28 injury or bond denies coverage or is insolvent;

29 (d) Used without the permission of its owner if there is no
30 liability insurance for bodily injury or bond applicable to the
31 operator;

32 (e) Used with the permission of its owner who has insurance
33 which does not provide coverage for the operation of the motor
34 vehicle by any person other than the owner if there is no liability
35 insurance for bodily injury or bond applicable to the operator; or

36 (f) The owner or operator of which is unknown or after
37 reasonable diligence cannot be found if:

38 (1) The bodily injury or death has resulted from physical
39 contact of the automobile with the named insured or the person
40 claiming under the named insured or with an automobile which the
41 named insured or such a person is occupying; and

42 (2) The named insured or someone on behalf of the named
43 insured has reported the ~~{accident}~~ *crash* within the time required by
44 NRS 484E.030, 484E.040 or 484E.050 to the police department of



1 the city where it occurred or, if it occurred in an unincorporated
2 area, to the sheriff of the county or to the Nevada Highway Patrol.

3 4. For the purposes of this section, the term “uninsured motor
4 vehicle” also includes, subject to the terms and conditions of
5 coverage, an insured other motor vehicle where:

6 (a) The liability insurer of the other motor vehicle is unable
7 because of its insolvency to make payment with respect to the legal
8 liability of its insured within the limits specified in its policy;

9 (b) The occurrence out of which legal liability arose took place
10 while the uninsured vehicle coverage required under paragraph (a)
11 was in effect; and

12 (c) The insolvency of the liability insurer of the other motor
13 vehicle existed at the time of, or within 2 years after, the occurrence.

14 ➤ Nothing contained in this subsection prevents any insurer from
15 providing protection from insolvency to its insureds under more
16 favorable terms.

17 5. If payment is made to any person under uninsured vehicle
18 coverage, and subject to the terms of the coverage, to the extent of
19 such payment the insurer is entitled to the proceeds of any
20 settlement or recovery from any person legally responsible for the
21 bodily injury as to which payment was made, and to amounts
22 recoverable from the assets of the insolvent insurer of the other
23 motor vehicle.

24 6. A vehicle involved in a ~~collision~~ *crash* which results in
25 bodily injury or death shall be presumed to be an uninsured motor
26 vehicle if no evidence of financial responsibility is supplied to the
27 Department of Motor Vehicles in the manner required by chapter
28 485 of NRS within 60 days after the ~~collision~~ *crash* occurs.

29 **Sec. 134.** NRS 690B.029 is hereby amended to read as
30 follows:

31 690B.029 1. A policy of insurance against liability arising
32 out of the ownership, maintenance or use of a motor vehicle
33 delivered or issued for delivery in this State to a person who is 55
34 years of age or older must contain a provision for the reduction in
35 the premiums for 3-year periods if the insured:

36 (a) Successfully completes, after attaining 55 years of age and
37 every 3 years thereafter, a course of traffic safety approved by the
38 Department of Motor Vehicles; and

39 (b) For the 3-year period before completing the course of traffic
40 safety and each 3-year period thereafter:

41 (1) Is not involved in ~~an accident~~ *a crash* involving a motor
42 vehicle for which the insured is at fault;

43 (2) Maintains a driving record free of violations; and



1 (3) Has not been convicted of, or entered a plea of guilty,
2 guilty but mentally ill or nolo contendere to, a moving traffic
3 violation or an offense involving:

4 (I) The operation of a motor vehicle while under the
5 influence of intoxicating liquor or a controlled substance; or

6 (II) Any other conduct prohibited by NRS 484C.110,
7 484C.120, 484C.130 or 484C.430 or a law of any other jurisdiction
8 that prohibits the same or similar conduct.

9 2. The reduction in the premiums provided for in subsection 1
10 must be based on the actuarial and loss experience data available to
11 each insurer and must be approved by the Commissioner. Each
12 reduction must be calculated based on the amount of the premium
13 before any reduction in that premium is made pursuant to this
14 section, and not on the amount of the premium once it has been
15 reduced.

16 3. A course of traffic safety that an insured is required to
17 complete as the result of moving traffic violations must not be used
18 as the basis for a reduction in premiums pursuant to this section.

19 4. The organization that offers a course of traffic safety
20 approved by the Department of Motor Vehicles shall issue a
21 certificate to each person who successfully completes the course. A
22 person must use the certificate to qualify for the reduction in the
23 premiums pursuant to this section.

24 5. The Commissioner shall review and approve or disapprove a
25 policy of insurance that offers a reduction in the premiums pursuant
26 to subsection 1. An insurer must receive written approval from the
27 Commissioner before delivering or issuing a policy with a provision
28 containing such a reduction.

29 **Sec. 135.** NRS 695B.220 is hereby amended to read as
30 follows:

31 695B.220 Blanket hospital or blanket medical or dental service
32 contracts may be issued to a college or school or to the head or
33 principal thereof or to the governing board of any school district
34 providing for services to pupils of such schools when such services
35 are required as the result of accident *or motor vehicle crash* to such
36 pupils while they are required to be in or on buildings or other
37 premises of the school or district during the time they are required to
38 be therein or thereon by reason of their attendance upon a college or
39 regular day school or any regular day school of a school district or
40 while being transported to and from school or other place of
41 instruction. No pupil shall be compelled to accept such service
42 without the consent of a parent or guardian of the pupil.

43 **Sec. 136.** NRS 704.140 is hereby amended to read as follows:

44 704.140 1. It is unlawful for any person engaged in business
45 as a public utility to give or furnish to any state, district, county or



1 municipal officer of this State, or to any person other than those
2 named herein, any pass, frank, free or reduced transportation, or for
3 any state, district, county or municipal officer to accept any pass,
4 frank, free or reduced transportation.

5 2. This section does not prevent the carriage, storage or hauling
6 of property free or at reduced rates for the United States, the State of
7 Nevada or any political subdivision thereof for charitable purposes.

8 3. This chapter does not prohibit a public utility from giving
9 free or reduced rates for transportation of:

10 (a) Its own officers, commission agents, employees, attorneys,
11 physicians and surgeons and members of their families, and
12 pensioned ex-employees and ex-employees with disabilities, their
13 minor children or dependents, or witnesses attending any legal
14 investigation in which such carrier is interested.

15 (b) Inmates of hospitals or charitable institutions and persons
16 over 65 years of age.

17 (c) Persons with physical or mental disabilities who present a
18 written statement from a physician to that effect.

19 (d) Persons injured in accidents or ~~twrecks~~ *motor vehicle*
20 *crashes* and physicians and nurses attending such persons.

21 (e) Persons providing relief in cases of common disaster, or for
22 contractors and their employees, in carrying out their contract with
23 such carrier.

24 (f) Peace officers when on official duty.

25 (g) Attendants of livestock or other property requiring the care
26 of an attendant, including return passage to the place of shipment, if
27 there is no discrimination among such shippers of a similar class.

28 (h) Employees of other carriers subject to regulation in any
29 respect by the Commission, or for the officers, agents, employees,
30 attorneys, physicians and surgeons of such other carriers, and the
31 members of their families.

32 4. This chapter does not prohibit public utilities from giving
33 reduced rates for transportation to:

34 (a) Indigent, destitute or homeless persons, when under the care
35 or responsibility of charitable societies, institutions or hospitals, and
36 the necessary agents employed in such transportation.

37 (b) Students of institutions of learning.

38 5. "Employees," as used in this section, includes furloughed,
39 pensioned and superannuated employees, and persons who have
40 become disabled or infirm in the service of any such carrier, and
41 persons traveling for the purpose of entering the service of any such
42 carrier.

43 6. Any person violating the provisions of this section shall be
44 punished by a fine of not more than \$500.



1 **Sec. 137.** NRS 704.190 is hereby amended to read as follows:

2 704.190 1. Every public utility operating in this State shall,
3 whenever an accident *or motor vehicle crash* occurs in the conduct
4 of its operation causing death, give prompt notice thereof to the
5 Commission, in such manner and within such time as the
6 Commission may prescribe. If, in its judgment, the public interest
7 requires it, the Commission may cause an investigation to be made
8 forthwith of any accident ~~H~~ *or crash*, at such place and in such
9 manner as the Commission deems best.

10 2. Every such public utility shall report to the Commission, at
11 the time, in the manner and on such forms as the Commission by its
12 printed rules and regulations prescribes, all accidents *or crashes*
13 happening in this State and occurring in, on or about the premises,
14 plant, instrumentality or facility used by any such utility in the
15 conduct of its business.

16 3. The Commission shall adopt all reasonable rules and
17 regulations necessary for the administration and enforcement of this
18 section. The rules and regulations must require that all accidents *or*
19 *crashes* required to be reported pursuant to this section be reported
20 to the Commission at least once every calendar month by such
21 officer or officers of the utility as the Commission directs.

22 4. The Commission shall adopt and utilize all accident *and*
23 *crash* report forms, which must be so designed as to provide a
24 concise and accurate report of the accident ~~H~~ *or crash*. The report
25 must show the true cause of the accident ~~H~~ *or crash*. The accident
26 report forms adopted for the reporting of railroad accidents must, as
27 near as practicable, be the same in design as the railroad accident
28 report forms provided and used by the Surface Transportation
29 Board.

30 5. If any accident *or crash* is reported to the Commission by
31 the utility as being caused by or through the negligence of an
32 employee and thereafter the employee is absolved from such
33 negligence by the utility and found not to be responsible for the
34 accident ~~H~~ *or crash*, that fact must be reported by the utility to the
35 Commission.

36 6. Each accident report required to be made by a public utility
37 pursuant to this section must be filed in the office of the
38 Commission and there preserved. Each accident *or crash* report
39 required to be made by a public utility pursuant to this chapter and
40 each report made by the Commission pursuant to its investigation of
41 any accident ~~H~~ *or crash*:

42 (a) Except as otherwise provided in subsection 2 of NRS
43 703.190, must be open to public inspection; and

44 (b) Notwithstanding any specific statute to the contrary, must
45 not, in whole or in part, be admitted as evidence or used for any



1 purpose in any suit or action for damages arising out of any matter
2 mentioned in:

3 (1) The accident *or crash* report required to be made by the
4 public utility; or

5 (2) The report made by the Commission pursuant to its
6 investigation.

7 **Sec. 138.** NRS 704.300 is hereby amended to read as follows:

8 704.300 1. After an investigation initiated either upon the
9 Commission's own motion or as the result of the filing of a formal
10 application or complaint by the Department of Transportation, the
11 board of county commissioners of any county, the town board or
12 council of any town or municipality, or any railroad company, the
13 Commission may order for the safety of the traveling public:

14 (a) The elimination, alteration, addition or change of a highway
15 crossing or crossings over any railroad at grade, or above or below
16 grade, including its approaches and surface.

17 (b) Changes in the method of crossing at grade, or above or
18 below grade.

19 (c) The closing of a crossing and the substitution of another
20 therefor.

21 (d) The removal of obstructions to the public view in
22 approaching any crossing.

23 (e) Such other details of use, construction and operation as may
24 be necessary to make grade-crossing elimination, changes and
25 betterments for the protection of the public and the prevention of
26 accidents *and motor vehicle crashes* effective.

27 2. The Commission shall order that the cost of any elimination,
28 removal, addition, change, alteration or betterment so ordered must
29 be divided and paid in such proportion by the State, county, town or
30 municipality and the railroad or railroads interested as is provided
31 according to the circumstances occasioning the cost in
32 NRS 704.305.

33 3. If the Commission chooses to conduct a hearing before
34 issuing an order pursuant to subsection 1, all costs incurred by
35 reason of the hearing, including, but not limited to, publication of
36 notices, reporting, transcripts and rental of hearing room, must be
37 apportioned 50 percent to the governmental unit or units affected
38 and 50 percent to the railroad or railroads.

39 **Sec. 139.** NRS 705.090 is hereby amended to read as follows:

40 705.090 1. No railway corporation engaged in the
41 transportation of horses, sheep, cattle, swine or other animals
42 between points situated within this state shall confine or cause the
43 same to be confined in cars or other vehicles of any description for a
44 period longer than 28 consecutive hours without unloading the same



1 for rest, water and feeding during 5 consecutive hours, unless
2 prevented by storm, *motor vehicle crash* or inevitable accident.

3 2. In estimating such confinement, the time during which the
4 animals have been confined without rest on connecting roads from
5 which they are received must be computed.

6 3. The time of confinement prescribed in this section may be
7 extended to 36 hours upon the written request of the owner or the
8 person in custody of a particular shipment of livestock, which
9 written request shall be separate and apart from any printed bill of
10 lading or other railroad form. The request for extension of time shall
11 be made to the conductor of the train, the agent or other authorized
12 agent of the railroad company over which the livestock is being
13 transported.

14 **Sec. 140.** NRS 706.246 is hereby amended to read as follows:

15 706.246 Except as otherwise provided in NRS 706.235:

16 1. A common or contract motor carrier shall not permit or
17 require a driver to drive or tow any vehicle revealed by inspection or
18 operation to be in such condition that its operation would be
19 hazardous or likely to result in a breakdown of the vehicle, and a
20 driver shall not drive or tow any vehicle which by reason of its
21 mechanical condition is so imminently hazardous to operate as to be
22 likely to cause ~~an accident~~ *a crash* or a breakdown of the vehicle.
23 If, while any vehicle is being operated on a highway, it is discovered
24 to be in such an unsafe condition, it may be continued in operation,
25 except as further limited by subsection 2, only to the nearest place
26 where repairs can safely be effected, and even that operation may be
27 conducted only if it is less hazardous to the public than permitting
28 the vehicle to remain on the highway.

29 2. A common or contract motor carrier or private motor carrier
30 shall not permit or require a driver to drive or tow, and a driver shall
31 not drive or tow, any vehicle which:

32 (a) By reason of its mechanical condition is so imminently
33 hazardous to operate as to be likely to cause ~~an accident~~ *a crash* or
34 a breakdown; and

35 (b) Has been declared "out of service" by an authorized
36 employee of the Authority, the Department of Motor Vehicles or the
37 Department of Public Safety.

38 ➤ When the repairs have been made, the carrier shall so certify to
39 the Authority or the department that declared the vehicle "out of
40 service," as required by the Authority or that department.

41 **Sec. 141.** NRS 706.251 is hereby amended to read as follows:

42 706.251 1. Every person operating a vehicle used by any
43 motor carrier under the jurisdiction of the Authority shall forthwith
44 report each ~~an accident~~ *crash* occurring on the public highway,
45 wherein the vehicle may have injured the person or property of



1 some person other than the person or property carried by the
2 vehicle, to the sheriff or other peace officer of the county where the
3 ~~{accident,}~~ crash occurred. If the ~~{accident,}~~ crash immediately or
4 proximately causes death, the person in charge of the vehicle, or any
5 officer investigating the ~~{accident,}~~ crash, shall furnish to the
6 Authority such detailed report thereof as required by the Authority.

7 2. All ~~{accident,}~~ crash reports required in this section must be
8 filed in the office of the Authority and there preserved. ~~{An}~~
9 ~~accident,}~~ A crash report made as required by this chapter, or any
10 report of the Authority made pursuant to any ~~{accident,}~~ crash
11 investigation made by it, is not open to public inspection and must
12 not be disclosed to any person, except upon order of the Authority.
13 The reports must not be admitted as evidence or used for any
14 purpose in any action for damages growing out of any matter
15 mentioned in the ~~{accident,}~~ crash report or report of any such
16 investigation.

17 **Sec. 142.** NRS 706.303 is hereby amended to read as follows:

18 706.303 The Authority shall adopt regulations requiring all
19 operators of horse-drawn vehicles subject to its regulation and
20 supervision to maintain a contract of insurance against liability for
21 injury to persons and damage to property for each such vehicle. The
22 amounts of coverage required by the regulations:

23 1. Must not exceed a total of:

24 (a) For bodily injury to or the death of one person in any one
25 ~~{accident,}~~ crash, \$250,000;

26 (b) Subject to the limitations of paragraph (a), for bodily injury
27 to or death of two or more persons in any one ~~{accident,}~~ crash,
28 \$500,000; and

29 (c) For injury to or destruction of property in any one ~~{accident,}~~
30 crash, \$50,000; or

31 2. Must not exceed a combined single-limit for bodily injury to
32 one or more persons and for injury to or destruction of property in
33 any one ~~{accident,}~~ crash, \$500,000.

34 **Sec. 143.** NRS 706.305 is hereby amended to read as follows:

35 706.305 The Authority shall adopt regulations requiring all
36 operators of taxicabs subject to its regulation and supervision to
37 maintain a contract of insurance against liability for injury to
38 persons and damage to property for each taxicab. The amounts of
39 coverage required by the regulations:

40 1. Must not exceed a total of:

41 (a) For bodily injury to or the death of one person in any one
42 ~~{accident,}~~ crash, \$250,000;

43 (b) Subject to the limitations of paragraph (a), for bodily injury
44 to or death of two or more persons in any one ~~{accident,}~~ crash,
45 \$500,000; and



1 (c) For injury to or destruction of property in any one ~~faceident,~~
2 *crash*, \$50,000; or

3 2. Must not exceed a combined single-limit for bodily injury to
4 one or more persons and for injury to or destruction of property in
5 any one ~~faceident,~~ *crash*, \$500,000.

6 **Sec. 144.** NRS 706.3056 is hereby amended to read as
7 follows:

8 706.3056 1. In lieu of the insurance against liability required
9 by the regulations adopted pursuant to NRS 706.305, an operator of
10 a taxicab may deposit with the Department:

11 (a) Any security in the amount of \$500,000; or

12 (b) An amount equal to 110 percent of the average annual costs
13 of claims incurred by the operator for ~~faceidents~~ *crashes* involving
14 motor vehicles during the immediately preceding 3 years,

15 ➔ whichever is less, but in no event may the deposit be less than
16 \$250,000. The security deposited may be in any form authorized by
17 NRS 706.3058. The Department shall not accept a deposit unless it
18 is accompanied by evidence that there are no unsatisfied judgments
19 of any character against the depositor in the county where the
20 depositor resides.

21 2. An operator of a taxicab depositing money with the
22 Department pursuant to subsection 1, shall authorize payments from
23 the deposit in the amounts and under the same circumstances as
24 would be required in a contract of insurance against liability which
25 is in compliance with the regulations adopted pursuant to
26 NRS 706.305.

27 3. Any security deposited must be used to satisfy any judgment
28 obtained against the depositor which is final and has not been paid
29 within 30 days after the date of the judgment, unless otherwise
30 ordered by the court issuing the judgment. A depositor, within 24
31 hours after receiving notice that the security has been used to satisfy
32 a judgment obtained against the depositor, shall deposit with the
33 Department an amount which is necessary to maintain with the
34 Department the amount required by subsection 1. The failure to
35 maintain the full amount required by subsection 1 is a ground for the
36 cancellation of the depositor's certificate of self-insurance.

37 4. Any money collected by the Department pursuant to
38 subsection 1 must be deposited with the State Treasurer for credit to
39 a separate account in the State General Fund and used for payments
40 authorized pursuant to subsection 2 or to refund money paid by an
41 operator of a taxicab who is no longer participating in a program of
42 self-insurance.

43 **Sec. 145.** NRS 706.351 is hereby amended to read as follows:

44 706.351 1. It is unlawful for:



* S B 1 8 8 R 1 *

1 (a) A fully regulated carrier to furnish any pass, frank, free or
2 reduced rates for transportation to any state, city, district, county or
3 municipal officer of this State or to any person other than those
4 specifically enumerated in this section.

5 (b) Any person other than those specifically enumerated in this
6 section to receive any pass, frank, free or reduced rates for
7 transportation.

8 2. This section does not prevent the carriage, storage or hauling
9 free or at reduced rates of passengers or property for charitable
10 organizations or purposes for the United States, the State of Nevada
11 or any political subdivision thereof.

12 3. This chapter does not prohibit a fully regulated common
13 carrier from giving free or reduced rates for transportation of
14 persons to:

15 (a) Its own officers, commission agents or employees, or
16 members of any profession licensed under title 54 of NRS retained
17 by it, and members of their families.

18 (b) Inmates of hospitals or charitable institutions and persons
19 over 60 years of age.

20 (c) Persons with physical or mental disabilities who present a
21 written statement from a physician to that effect.

22 (d) Persons injured in accidents or ~~trucks~~ *motor vehicle*
23 *crashes* and physicians and nurses attending such persons.

24 (e) Persons providing relief in cases of common disaster.

25 (f) Attendants of livestock or other property requiring the care of
26 an attendant, who must be given return passage to the place of
27 shipment, if there is no discrimination among shippers of a similar
28 class.

29 (g) Officers, agents, employees or members of any profession
30 licensed under title 54 of NRS, together with members of their
31 families, who are employed by or affiliated with other common
32 carriers, if there is an interchange of free or reduced rates for
33 transportation.

34 (h) Indigent, destitute or homeless persons when under the care
35 or responsibility of charitable societies, institutions or hospitals,
36 together with the necessary agents employed in such transportation.

37 (i) Students of institutions of learning, including, without
38 limitation, homeless students, whether the free or reduced rate is
39 given directly to a student or to the board of trustees of a school
40 district on behalf of a student.

41 (j) Groups of persons participating in a tour for a purpose other
42 than transportation.

43 4. This section does not prohibit common motor carriers from
44 giving free or reduced rates for the transportation of property of:



1 (a) Their officers, commission agents or employees, or members
2 of any profession licensed under title 54 of NRS retained by them,
3 or pensioned former employees or former employees with
4 disabilities, together with that of their dependents.

5 (b) Witnesses attending any legal investigations in which such
6 carriers are interested.

7 (c) Persons providing relief in cases of common disaster.

8 (d) Charitable organizations providing food and items for
9 personal hygiene to needy persons or to other charitable
10 organizations within this State.

11 5. This section does not prohibit the Authority from
12 establishing reduced rates, fares or charges for specified routes or
13 schedules of any common motor carrier providing transit service if
14 the reduced rates, fares or charges are determined by the Authority
15 to be in the public interest.

16 6. Only fully regulated common carriers may provide free or
17 reduced rates for the transportation of passengers or household
18 goods, pursuant to the provisions of this section.

19 7. As used in this section, "employees" includes:

20 (a) Furloughed, pensioned and superannuated employees.

21 (b) Persons who have become disabled or infirm in the service
22 of such carriers.

23 (c) Persons who are traveling to enter the service of such a
24 carrier.

25 **Sec. 146.** NRS 706.4479 is hereby amended to read as
26 follows:

27 706.4479 1. If a motor vehicle is towed at the request of
28 someone other than the owner, or authorized agent of the owner, of
29 the motor vehicle, the operator of the tow car shall, in addition to the
30 requirements set forth in the provisions of chapter 108 of NRS:

31 (a) Notify the registered and legal owner of the motor vehicle by
32 certified mail not later than 21 days after placing the motor vehicle
33 in storage if the motor vehicle was towed at the request of a law
34 enforcement officer following ~~an accident~~ *a crash* involving the
35 motor vehicle or not later than 15 days after placing any other
36 vehicle in storage:

37 (1) Of the location where the motor vehicle is being stored;

38 (2) Whether the storage is inside a locked building, in a
39 secured, fenced area or in an unsecured, open area;

40 (3) Of the charge for towing and storage;

41 (4) Of the date and time the vehicle was placed in storage;

42 (5) Of the actions that the registered and legal owner of the
43 vehicle may take to recover the vehicle while incurring the lowest
44 possible liability in accrued assessments, fees, penalties or other
45 charges; and



1 (6) Of the opportunity to rebut the presumptions set forth in
2 NRS 487.220 and 706.4477.

3 (b) If the identity of the registered and legal owner is not known
4 or readily available, make every reasonable attempt and use all
5 resources reasonably necessary, as evidenced by written
6 documentation, to obtain the identity of the owner and any other
7 necessary information from the agency charged with the registration
8 of the motor vehicle in this State or any other state within:

9 (1) Twenty-one days after placing the motor vehicle in
10 storage if the motor vehicle was towed at the request of a law
11 enforcement officer following ~~an accident~~ *a crash* involving the
12 motor vehicle; or

13 (2) Fifteen days after placing any other motor vehicle in
14 storage.

15 ➤ The operator shall attempt to notify the owner of the vehicle by
16 certified mail as soon as possible, but in no case later than 15 days
17 after identification of the owner is obtained for any motor vehicle.

18 2. If an operator includes in the operator's tariff a fee to be
19 charged to the registered and legal owner of a vehicle for the towing
20 and storage of the vehicle, the fee may not be charged:

21 (a) For more than 21 days after placing the motor vehicle in
22 storage if the motor vehicle was towed at the request of a law
23 enforcement officer following ~~an accident~~ *a crash* involving the
24 motor vehicle; or

25 (b) For more than 15 days after placing any other vehicle in
26 storage,

27 ➤ unless the operator complies with the requirements set forth in
28 subsection 1.

29 3. If a motor vehicle that is placed in storage was towed at the
30 request of a law enforcement officer following ~~an accident~~ *a crash*
31 involving the motor vehicle or after having been stolen and
32 subsequently recovered, the operator shall not:

33 (a) Satisfy any lien or impose any administrative fee or
34 processing fee with respect to the motor vehicle for the period
35 ending 4 business days after the date on which the motor vehicle
36 was placed in storage; or

37 (b) Impose any fee relating to the auction of the motor vehicle
38 until after the operator complies with the notice requirements set
39 forth in NRS 108.265 to 108.367, inclusive.

40 **Sec. 147.** NRS 706.4487 is hereby amended to read as
41 follows:

42 706.4487 The Legislature hereby finds and declares that:

43 1. Towing a vehicle, either after ~~an accident~~ *a crash* or after
44 the vehicle is stolen and subsequently recovered, to a vehicle storage
45 lot designated by the insurer of the vehicle will result in the



1 placement of vehicle storage lots in more locations, as insurance
2 companies will designate as many vehicle storage lots as are
3 necessary to provide coverage throughout the county, thus
4 enhancing safety by limiting both the time and distance that a tow
5 car is traveling with a towed vehicle.

6 2. Authorizing insurance companies to designate vehicle
7 storage lots will enhance safety by ensuring that the vehicles towed
8 thereto are stored in locations which:

9 (a) Guarantee safe access to the vehicles by their owners; and

10 (b) Protect the property of the owners of the vehicles, including,
11 without limitation, the vehicles themselves.

12 3. The provisions of NRS 706.4489 constitute an exercise of
13 the safety regulatory authority of this State with respect to motor
14 vehicles.

15 **Sec. 148.** NRS 706.4489 is hereby amended to read as
16 follows:

17 706.4489 1. An insurance company may designate one or
18 more vehicle storage lots to which all vehicles that are towed at the
19 request of a law enforcement officer:

20 (a) Following ~~an accident;~~ *a crash*; or

21 (b) Following recovery after having been stolen,

22 ➔ and which are insured by that insurance company must be towed
23 pursuant to subsection 2. The designation of a vehicle storage lot
24 must be provided in writing by the insurance company, its
25 representative or the owner or operator of the vehicle storage lot to
26 all providers of towing services that have obtained a certificate of
27 public convenience and necessity and operate in the same
28 geographical area in which the designated vehicle storage lot is
29 situated.

30 2. If a law enforcement officer requests that an operator of a
31 tow car tow a vehicle following ~~an accident;~~ *a crash* or following
32 recovery after having been stolen and the vehicle is not otherwise
33 subject to impoundment, the law enforcement officer shall make a
34 good faith effort to determine the identity of the insurance company
35 that provides coverage for the owner of the vehicle. If the law
36 enforcement officer determines the identity of the insurance
37 company, he or she shall inform the operator of the tow car of the
38 identity of the insurance company. If the operator of the tow car:

39 (a) Is informed by a law enforcement officer of the identity of
40 the insurance company that provides coverage for the owner of the
41 vehicle; or

42 (b) Otherwise determines the identity of the insurance company
43 that provides coverage for the owner of the vehicle,

44 ➔ and the insurance company has designated a vehicle storage lot
45 pursuant to subsection 1, the operator of the tow car shall tow the



1 vehicle to the designated vehicle storage lot unless the owner of the
2 vehicle or a representative of the insurance company has directed
3 otherwise.

4 3. If an operator of a tow car fails to tow a vehicle to the
5 designated vehicle storage lot pursuant to subsection 2, the operator
6 of the tow car shall:

7 (a) Forfeit the charge for towing and storage of the vehicle; and

8 (b) Tow the vehicle free of charge to the vehicle storage lot
9 designated by the insurance company or its representative not later
10 than 24 hours after receiving a demand, which must be made in
11 writing or by electronic mail, from the insurance company or its
12 representative.

13 4. The owners of a vehicle storage lot designated by an
14 insurance company pursuant to subsection 1 shall agree in writing to
15 indemnify the relevant law enforcement agencies and their officers,
16 employees, agents and representatives from any liability relating to
17 the towing of a vehicle insured by the designating insurance
18 company and to the storing of the vehicle at the vehicle storage lot
19 if the law enforcement officer who requested the towing of the
20 vehicle made a good faith effort to comply with the provisions of
21 subsection 2.

22 5. A vehicle storage lot must:

23 (a) Maintain adequate, accessible and secure storage within the
24 State of Nevada for any vehicle that is towed to the vehicle storage
25 lot;

26 (b) Comply with all standards a law enforcement agency may
27 adopt pursuant to NRS 706.4485 to protect the health, safety and
28 welfare of the public;

29 (c) Comply with all local laws and ordinances applicable to that
30 business, including, without limitation, local laws and ordinances
31 relating to business licenses, zoning, building and fire codes,
32 parking, paving, lights and security; and

33 (d) If the vehicle storage lot is a salvage pool as that term is
34 defined in NRS 487.400, comply with all applicable requirements
35 imposed pursuant to NRS 487.400 to 487.510, inclusive.

36 6. If a vehicle storage lot has rates and charges that have been
37 approved by the Authority for the storage of a vehicle, the vehicle
38 storage lot is not required to assess those rates and charges for the
39 storage of a vehicle that is towed to the vehicle storage lot in
40 accordance with this section, but may not assess a rate or charge in
41 excess of those approved rates and charges. If a vehicle storage lot
42 does not have rates and charges that have been approved by the
43 Authority, it may not assess a rate or charge in excess of the rates
44 and charges for the storage of a vehicle that have been approved by
45 the law enforcement agency that requested the tow. If the requesting



1 law enforcement agency does not have approved rates and charges,
2 the vehicle storage lot may not assess a rate or charge in excess of
3 the rates and charges for the storage of a vehicle that have been
4 approved by the largest law enforcement agency in the county. An
5 operator of a tow car who tows a vehicle to a vehicle storage lot
6 pursuant to this section:

7 (a) Shall assess the rates and charges approved by the Authority
8 for towing the vehicle.

9 (b) Is entitled to payment from the operator of the vehicle
10 storage lot at the time the vehicle is towed to the vehicle storage lot.

11 7. Before designating a vehicle storage lot pursuant to
12 subsection 1, an insurance company must obtain the approval of the
13 Authority. The Authority shall approve the designation if the
14 Authority determines that the vehicle storage lot has:

15 (a) Executed an indemnification agreement that meets the
16 requirements of subsection 4;

17 (b) Satisfied the requirements of subsection 5; and

18 (c) Otherwise satisfied the requirements of this section.

19 8. The provisions of this section apply only to a county whose
20 population is 700,000 or more.

21 9. As used in this section:

22 (a) "Boat" means any vessel or other watercraft, other than a
23 seaplane, used or capable of being used as a means of transportation
24 on the water.

25 (b) "Vehicle" has the meaning ascribed to it in NRS 706.146
26 and includes all terrain vehicles and boats.

27 (c) "Vehicle storage lot" means a business which, for a fee,
28 stores vehicles that are towed at the request of a law enforcement
29 officer following ~~an accident~~ *a crash* or following recovery after
30 having been stolen and includes, without limitation, a salvage pool,
31 as that term is defined in NRS 487.400, which operates a vehicle
32 storage lot in accordance with the provisions of this section. The
33 term does not include a salvage pool that has not elected to operate a
34 vehicle storage lot in accordance with the provisions of this section
35 and is operating within the scope of its authority pursuant to NRS
36 487.400 to 487.510, inclusive.

37 **Sec. 149.** NRS 706.8828 is hereby amended to read as
38 follows:

39 706.8828 1. Except as otherwise provided in subsection 4, a
40 certificate holder shall file with the Administrator, and keep in effect
41 at all times, a policy of insurance with an insurance company
42 licensed to do business in the State of Nevada.

43 2. The insurance policy specified in subsection 1 must:

44 (a) Provide the following coverage:



1	For injury to one person in any one accident	
2	<i>crash</i>	\$100,000
3	For injury to two or more persons in any one	
4	accident <i>crash</i>	300,000
5	For property damage in any one accident <i>crash</i>	10,000

6
7 (b) Contain a clause which states substantially that the insurance
8 carrier may only cancel the policy upon 30 days' written notice to
9 the certificate holder and Administrator; and

10 (c) Contain such other provisions concerning notice as may be
11 required by law to be given to the certificate holder.

12 3. If an insurance policy is cancelled, the certificate holder
13 shall not operate or cause to be operated any taxicab that was
14 covered by the policy until other insurance is furnished.

15 4. A certificate holder to whom the Department of Motor
16 Vehicles has issued a certificate of self-insurance may self-insure
17 the coverage required by subsection 2.

18 **Sec. 150.** 1. When the next reprint of the Nevada Revised
19 Statutes is prepared by the Legislative Counsel, the Legislative
20 Counsel shall revise any provisions of any bill or resolution enacted
21 during the 78th Regular Session of the Nevada Legislature which
22 uses the term "accident" as that term is replaced or amended
23 pursuant to the provisions of this act to cause the term to be replaced
24 or amended in the manner provided in this act.

25 2. The Legislative Counsel shall, in preparing supplements to
26 the Nevada Administrative Code, make such changes as necessary
27 so that the term "accident" is replaced with the term "crash" or
28 "motor vehicle crash," or the term "accident" is amended by adding
29 the term "or motor vehicle crash," as applicable, as provided for in
30 this act.

31 **Sec. 150.5.** 1. This act shall be construed as making
32 amendments to provisions of state law for the purpose of
33 substituting the term "crash," or a variation of that term, for the term
34 "accident," or a variation of that term, when used in reference to
35 motor vehicles without any intent of the Nevada Legislature to
36 change the coverage, eligibility, liability, penalties, rights or
37 responsibilities conferred by or otherwise resulting from the
38 amendatory provisions of this act.

39 2. Any judicial interpretation of a state law that is rendered,
40 issued or entered before January 1, 2016, and which includes an
41 interpretation of the term "accident," or a variation of that term,
42 which is amended by or as a result of this act to refer instead to the
43 term "crash," or a variation of that term, shall be deemed to have the
44 same meaning as though the term had remained unchanged.

45 **Sec. 151.** This act becomes effective:



- 1 1. Upon passage and approval for the purpose of adopting
- 2 regulations or performing any preparatory administrative tasks that
- 3 are necessary to carry out the provisions of this act; and
- 4 2. On January 1, 2016, for all other purposes.

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