

FEBRUARY 17, 1999

Referred to Committee on Transportation

SUMMARY—Revises penalty for driving without required insurance in effect. (BDR 43-572)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

2

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~{omitted material}~~ is material to be omitted.

AN ACT relating to motor vehicles; revising the penalty for driving without the required insurance in effect; and providing other matters properly relating thereto.

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

- Section 1.** NRS 485.187 is hereby amended to read as follows:
- 485.187 1. Except as otherwise provided in subsection 5, the owner of a motor vehicle shall not:
- (a) Operate the motor vehicle, if it is registered or required to be registered in this state, without having insurance as required by NRS 485.185.
- (b) Operate or knowingly permit the operation of the motor vehicle without having evidence of insurance of the operator or the vehicle in the vehicle.
- (c) Fail or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the department the evidence of insurance.
- (d) Knowingly permit the operation of the motor vehicle in violation of subsection 3 of NRS 485.186.
2. A person shall not operate the motor vehicle of another person unless:
- (a) He first ensures that the required evidence of insurance is present in the motor vehicle;
- or

1 (b) He has his own evidence of insurance which covers him as the
2 operator of the motor vehicle.

3 3. Except as otherwise provided in subsection 4, any person who
4 violates subsection 1 or 2 **is guilty of a misdemeanor. Except as otherwise**
5 **provided in this subsection, in addition to any other penalty, a person**
6 **sentenced pursuant to this subsection** shall be punished by a fine of not
7 less than \$600 nor more than \$1,000 for each violation. The fine must be
8 reduced to \$100 for the first violation if the person obtains a motor vehicle
9 liability policy ~~not later than 30 days after the fine is imposed,~~ **by the time**
10 **of sentencing,** unless:

11 (a) The person has registered the vehicle as part of a fleet of vehicles
12 pursuant to subsection 5 of NRS 482.215; or

13 (b) The person has been issued a certificate of self-insurance pursuant to
14 NRS 485.380.

15 4. A court:

16 (a) Shall not **find a person guilty or** fine a person for a violation of
17 paragraph (a), (b) or (c) of subsection 1 or for a violation of subsection 2 if
18 he presents evidence to the court that the insurance required by NRS
19 485.185 was in effect at the time demand was made for it.

20 (b) Except as otherwise provided in paragraph (a), may impose a fine of
21 **not more than** \$1,000 for a violation of paragraph (a), (b) or (c) of
22 subsection 1, and suspend the **balance of the** fine on the condition that the
23 person presents proof to the court each month for 12 months that the
24 insurance required by NRS 485.185 is currently in effect.

25 5. The provisions of paragraphs (b) and (c) of subsection 1 do not
26 apply if the motor vehicle in question displays a valid permit issued by the
27 department pursuant to subsection 1 or 2 of NRS 482.3955, or NRS
28 482.396, 482.3965, 482.423 or 482.424 authorizing the movement or
29 operation of that vehicle within the state for a limited time.

30 **Sec. 2.** The amendatory provisions of section 1 of this act do not apply
31 to offenses that were committed before October 1, 1999.