
ASSEMBLY BILL NO. 327—COMMITTEE ON JUDICIARY

FEBRUARY 25, 1999

Referred to Committee on Judiciary

SUMMARY—Prohibits person from seeking noneconomic damages resulting from accident involving motor vehicle if person owned or was operating or using motor vehicle without insurance for motor vehicle at time of accident. (BDR 3-944)

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

~

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

AN ACT relating to damages; prohibiting a person from seeking noneconomic damages as a result of an accident involving a motor vehicle if the person owned or was operating or using the motor vehicle without insurance for the motor vehicle at the time of the accident; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 42 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. In an action to recover damages arising out of the operation or***
4 ***use of a motor vehicle, a person may not seek any noneconomic damages***
5 ***if the person:***
6 ***(a) Was the owner, operator or user of a motor vehicle involved in the***
7 ***accident giving rise to the action; and***
8 ***(b) Did not have insurance for the motor vehicle at the time of the***
9 ***accident.***
10 ***2. As used in this section:***
11 ***(a) “Insurance” has the meaning ascribed to it in NRS 485.037.***
12 ***(b) “Motor vehicle” has the meaning ascribed to it in NRS 485.050.***
13 ***(c) “Noneconomic damages” means money awarded by the court to a***
14 ***person for nonmonetary losses, including, without limitation, pain,***

1 *suffering, emotional distress, loss of consortium and injury to reputation,*
2 *or for the purpose of making an example of or punishing the person*
3 *ordered to pay the damages.*

4 *(d) "Operator" has the meaning ascribed to it in NRS 485.080.*

5 *(e) "Owner" has the meaning ascribed to it in NRS 485.090.*

6 **Sec. 2.** The amendatory provisions of this act do not apply to an
7 action filed before October 1, 1999.

~