

Assembly Bill No. 458—Assemblymen Parks, Chowning, Collins, Manendo, Gibbons, Lee, Arberry, Freeman, Anderson, Williams, Angle, Tiffany, Von Tobel, Neighbors and Leslie

CHAPTER.....

AN ACT relating to vehicles; authorizing law enforcement agencies to conduct certain inspections for the purpose of locating stolen vehicles; increasing the penalties for altering or removing the identification number or mark of a motor vehicle or part of a motor vehicle; prohibiting the ownership or operation of premises used for certain acts concerning stolen motor vehicles and parts of motor vehicles; providing penalties; 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. Chapter 481 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purpose of locating stolen vehicles, except as otherwise provided in subsection 3, an employee of the department or a local law enforcement agency whose primary responsibility is to conduct investigations involving the theft of motor vehicles, may inspect:

(a) The identification numbers of a vehicle that is on the highway or in any garage, repair shop, terminal, parking facility, establishment where new or used vehicles or equipment for vehicles are sold, leased or rented, vehicle salvage pool or any other similar establishment, or any commercial location where agricultural or construction work is being actively performed; and

(b) The title or registration of a vehicle described in paragraph (a) to determine the rightful ownership or possession of the vehicle or an identifiable component part.

2. Whenever possible, a person who conducts an inspection pursuant to this section shall conduct the inspection during normal business hours and in such a manner as to minimize any interference with or delay of the business operations of the establishment where the inspection takes place.

3. A person may not conduct an inspection pursuant to this section of a terminal that is privately owned or a parking facility that is privately owned unless, before conducting the inspection, the person obtains permission to conduct the inspection from:

(a) The owner of the terminal or parking facility; or

(b) An agent or representative of the owner who has been authorized by the owner to grant permission to a person seeking to conduct an inspection pursuant to this section.

4. As used in this section:

(a) "Garage" has the meaning ascribed to it in NRS 487.540

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(b) *“Identifiable component part” means a component of a motor vehicle that may be distinguished from other similar components by a serial number or other distinguishing number, sign or mark.*

(c) *“Local law enforcement agency” means:*

- (1) The sheriff's office of a county;*
- (2) A metropolitan police department; or*
- (3) A police department of an incorporated city.*

(d) *“Parking facility” means a parking deck, parking garage, parking structure or paved or unpaved parking lot that members of the public regularly enter, are reasonably likely to enter, or are invited or permitted to enter as invitees or licensees.*

(e) *“Terminal” means a terminal that members of the public regularly enter, are reasonably likely to enter, or are invited or permitted to enter as invitees or licensees.*

(f) *“Vehicle” has the meaning ascribed to it in NRS 482.135.*

Sec. 2. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

Sec. 3. *As used in NRS 482.545 to 482.553, inclusive, and section 4 of this act, unless the context otherwise requires, “identification number or mark” means:*

- 1. The motor number, other distinguishing number or identification mark of a vehicle required or employed for purposes of registration; or*
- 2. The identification number or other distinguishing number or identification mark of a vehicle or part of a motor vehicle that was placed or stamped on that vehicle or part by the manufacturer pursuant to federal law or regulation.*

Sec. 4. 1. *Except as otherwise provided in subsections 3 and 4, a person who knowingly:*

- (a) Buys with the intent to resell;*
- (b) Disposes of;*
- (c) Sells; or*
- (d) Transfers,*

more than one motor vehicle or parts from more than one motor vehicle that have an identification number or mark that is defaced, destroyed or altered to misrepresent the identity or to prevent the identification of the motor vehicles or parts of the motor vehicles, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$60,000, or by both fine and imprisonment.

2. Except as otherwise provided in subsections 3 and 4, a person who knowingly possesses with the intent to sell, transfer, import or export more than one motor vehicle or parts from more than one motor vehicle that have an identification number or mark that is defaced, destroyed or altered to misrepresent the identity or prevent the identification of the motor vehicles or parts of the motor vehicles, is guilty of a category D

felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$30,000.

3. The provisions of this section do not apply to a licensed automobile wrecker or salvage pool that in the normal, legal course of business and in good faith, processes a motor vehicle or part of a motor vehicle by crushing, compacting or using other similar methods to process the motor vehicle or part if:

(a) The identification number or mark of the motor vehicle or part of a motor vehicle was not defaced, destroyed or altered before the processing; or

(b) The motor vehicle or part of a motor vehicle was obtained from a person described in subsection 4.

4. The provisions of this section do not apply to an owner of or person authorized to possess a motor vehicle or part of a motor vehicle:

(a) If the motor vehicle or part of a motor vehicle was recovered by a law enforcement agency after having been stolen; or

(b) If the condition of the identification number or mark of the motor vehicle or part of the motor vehicle is known to, or has been reported to, a law enforcement agency.

5. For the purposes of this section:

(a) "Automobile wrecker" means a person who obtains a license pursuant to NRS 487.050 to dismantle, scrap, process or wreck a vehicle.

(b) "Salvage pool" has the meaning ascribed to it in subsection 2 of NRS 487.400.

Sec. 5. NRS 482.545 is hereby amended to read as follows:

482.545 It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit the operation of, upon a highway any motor vehicle, trailer or semitrailer which is not registered or which does not have attached thereto and displayed thereon the number of plate or plates assigned thereto by the department for the current period of registration or calendar year, subject to the exemption allowed in NRS 482.316 to 482.3175, inclusive, 482.320 to 482.363, inclusive, 482.385 to 482.3965, inclusive, and 482.420.

2. To display, cause or permit to be displayed or to have in possession any certificate of registration, license plate, certificate of ownership or other document of title knowing it to be fictitious or to have been canceled, revoked, suspended or altered.

3. To lend to or knowingly permit the use of by one not entitled thereto any registration card or plate issued to the person so lending or permitting the use thereof.

4. To fail or to refuse to surrender to the department, upon demand, any registration card or plate which has been suspended, canceled or revoked as provided in this chapter.

5. To use a false or fictitious name or address in any application for the registration of any vehicle or for any renewal or duplicate thereof, or

knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in an application. A violation of this subsection is a gross misdemeanor.

6. Knowingly to operate a vehicle which:

(a) Has an altered ~~{vehicle identification number, serial number, motor number, or other distinguishing number or}~~ identification **number or** mark ; ~~{required for registration;}~~ or

(b) Contains a part which has an altered identification number or ~~{other distinguishing number or identification mark which was placed or stamped on the part by the manufacturer pursuant to federal law or regulation.}~~ **mark.**

Sec. 6. NRS 482.553 is hereby amended to read as follows:

482.553 1. A person shall not intentionally deface, destroy or alter the ~~{motor number, other distinguishing number or}~~ identification **number or** mark of a vehicle ~~{required or employed for registration purposes or the identification number or other distinguishing number or identification mark of a}~~ **or** part of a motor vehicle ~~{which was placed or stamped on that part by the manufacturer pursuant to federal law or regulation}~~ without written authorization from the department, nor shall any person place or stamp any serial, motor or other number or mark upon a vehicle or the parts thereof except one assigned thereto by the department.

2. This section does not prohibit the restoration by an owner of the original vehicle identification number **or mark** when the restoration is authorized by the department, nor prevent any manufacturer from placing in the ordinary course of business numbers or marks upon new motor vehicles or new parts thereof.

3. The department shall assign serial numbers to all homemade vehicles, and the serial numbers must be placed:

(a) If an open trailer, on the left-hand side of the tongue of the trailer.

(b) If an enclosed vehicle, on the pillar post for the left-hand door hinge, or if such placement is not appropriate, then on the left-hand side of the fire wall, under the hood.

4. Any person who violates ~~{any provisions}~~ **a provision** of subsection 1 is guilty of a ~~{gross misdemeanor.}~~ **category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$25,000.**

Sec. 7. Chapter 205 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person who owns or operates a building or other premises shall not knowingly allow a motor vehicle or part of a motor vehicle that is illegally obtained by theft, fraud or conspiracy to defraud to be altered, destroyed, disassembled, reassembled or stored at the building or premises for the purpose of:

(a) Defacing, destroying or altering the identity of the motor vehicle or the part of a motor vehicle, including, without limitation, the

identification number, to misrepresent the identity of or prevent the identification of the motor vehicle or the part; or

(b) Selling or disposing of the motor vehicle or the part of a motor vehicle.

2. A person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$50,000.

3. As used in this section, "motor vehicle" has the meaning ascribed to it in NRS 482.075.

Sec. 8. The amendatory provisions of this act do not apply to offenses that were committed before October 1, 1999.

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