

ASSEMBLY BILL NO. 458—ASSEMBLYMEN PARKS, CHOWNING, COLLINS,
MANENDO, GIBBONS, LEE, ARBERRY, FREEMAN, ANDERSON, WILLIAMS,
ANGLE, TIFFANY, VON TOBEL, NEIGHBORS AND LESLIE

MARCH 10, 1999

Referred to Committee on Transportation

SUMMARY—Makes various changes relating to crimes involving theft of motor vehicles.
(BDR 43-1287)

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

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

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:

- 1 **Section 1.** Chapter 481 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. For the purpose of locating stolen vehicles, an employee of the***
4 ***department or a local law enforcement agency whose primary***
5 ***responsibility is to conduct investigations involving the theft of motor***
6 ***vehicles, may inspect:***
7 ***(a) The identification numbers of a vehicle that is on the highway or***
8 ***in any garage, repair shop, public terminal, public parking lot,***
9 ***establishment where new or used vehicles or equipment for vehicles are***
10 ***sold, leased or rented, vehicle salvage pool or any other similar***
11 ***establishment, or any commercial location where agricultural or***
12 ***construction work is being actively performed; and***

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

4 ***2. Whenever possible, a person who conducts an inspection pursuant***
5 ***to this section shall conduct the inspection at such a time and in such a***
6 ***manner as to minimize any interference with or delay of the business***
7 ***operations of the establishment where the inspection takes place.***

8 ***3. As used in this section:***

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

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

13 ***(c) "Local law enforcement agency" means:***

14 ***(1) The sheriff's office of a county;***

15 ***(2) A metropolitan police department; or***

16 ***(3) A police department of an incorporated city.***

17 ***(d) "Vehicle" has the meaning ascribed to it in NRS 482.135.***

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

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

23 ***1. The motor number, other distinguishing number or identification***
24 ***mark of a vehicle required or employed for purposes of registration; or***

25 ***2. The identification number or other distinguishing number or***
26 ***identification mark of a vehicle or part of a motor vehicle that was placed***
27 ***or stamped on that vehicle or part by the manufacturer pursuant to***
28 ***federal law or regulation.***

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

31 ***(a) Buys with the intent to resell;***

32 ***(b) Disposes of;***

33 ***(c) Sells; or***

34 ***(d) Transfers,***

35 ***more than one motor vehicle or parts from more than one motor vehicle***
36 ***that have an identification number or mark that is defaced, destroyed or***
37 ***altered to misrepresent the identity or to prevent the identification of the***
38 ***motor vehicles or parts of the motor vehicles, is guilty of a category B***
39 ***felony and shall be punished by imprisonment in the state prison for a***
40 ***minimum term of not less than 1 year and a maximum term of not more***
41 ***than 10 years, and may be further punished by a fine of not more than***
42 ***\$60,000, or by both fine and imprisonment.***

1 2. *Except as otherwise provided in subsections 3 and 4, a person who*
2 *knowingly possesses with the intent to sell, transfer, import or export*
3 *more than one motor vehicle or parts from more than one motor vehicle*
4 *that have an identification number or mark that is defaced, destroyed or*
5 *altered to misrepresent the identity or prevent the identification of the*
6 *motor vehicles or parts of the motor vehicles, is guilty of a category D*
7 *felony and shall be punished as provided in NRS 193.130, and may be*
8 *further punished by a fine of not more than \$30,000.*

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

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

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

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

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

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

26 5. *For the purposes of this section:*

27 (a) *“Automobile wrecker” means a person who obtains a license*
28 *pursuant to NRS 487.050 to dismantle, scrap, process or wreck a vehicle.*

29 (b) *“Salvage pool” has the meaning ascribed to it in subsection 2 of*
30 *NRS 487.400.*

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

32 482.545 It is unlawful for any person to commit any of the following
33 acts:

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

41 2. To display, cause or permit to be displayed or to have in possession
42 any certificate of registration, license plate, certificate of ownership or

1 other document of title knowing it to be fictitious or to have been canceled,
2 revoked, suspended or altered.

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

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

9 5. To use a false or fictitious name or address in any application for the
10 registration of any vehicle or for any renewal or duplicate thereof, or
11 knowingly to make a false statement or knowingly to conceal a material
12 fact or otherwise commit a fraud in an application. A violation of this
13 subsection is a gross misdemeanor.

14 6. Knowingly to operate a vehicle which:

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

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

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

23 482.553 1. A person shall not intentionally deface, destroy or alter
24 the ~~{motor number, other distinguishing number or}~~ identification **number**
25 **or** mark of a vehicle ~~{required or employed for registration purposes or the~~
26 ~~identification number or other distinguishing number or identification mark~~
27 ~~of a}~~ **or** part of a motor vehicle ~~{which was placed or stamped on that part~~
28 ~~by the manufacturer pursuant to federal law or regulation}~~ without written
29 authorization from the department, nor shall any person place or stamp any
30 serial, motor or other number or mark upon a vehicle or the parts thereof
31 except one assigned thereto by the department.

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

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

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

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

1 4. Any person who violates ~~{any provisions}~~ *a provision* of subsection
2 1 is guilty of a ~~{gross misdemeanor.}~~ *category D felony and shall be*
3 *punished as provided in NRS 193.130, and may be further punished by a*
4 *fine of not more than \$25,000.*

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

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

12 *(a) Defacing, destroying or altering the identity of the motor vehicle or*
13 *the part of a motor vehicle, including, without limitation, the*
14 *identification number, to misrepresent the identity of or prevent the*
15 *identification of the motor vehicle or the part; or*

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

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

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

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