

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, except as otherwise***  
4 ***provided in subsection 3, an employee of the department or a local law***  
5 ***enforcement agency whose primary responsibility is to conduct***  
6 ***investigations involving the theft of motor vehicles, may inspect:***  
7    ***(a) The identification numbers of a vehicle that is on the highway or***  
8 ***in any garage, repair shop, terminal, parking facility, establishment***  
9 ***where new or used vehicles or equipment for vehicles are sold, leased or***  
10 ***rented, vehicle salvage pool or any other similar establishment, or any***  
11 ***commercial location where agricultural or construction work is being***  
12 ***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 during normal business hours***  
6     ***and in such a manner as to minimize any interference with or delay of***  
7     ***the business operations of the establishment where the inspection takes***  
8     ***place.***

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

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

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

17    ***4. As used in this section:***

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

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

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

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

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

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

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

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

33    ***(f) "Vehicle" has the meaning ascribed to it in NRS 482.135.***

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

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

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

41    ***2. The identification number or other distinguishing number or***  
42    ***identification mark of a vehicle or part of a motor vehicle that was placed***

1 or stamped on that vehicle or part by the manufacturer pursuant to  
2 federal law or regulation.

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

5 (a) Buys with the intent to resell;

6 (b) Disposes of;

7 (c) Sells; or

8 (d) Transfers,

9 more than one motor vehicle or parts from more than one motor vehicle  
10 that have an identification number or mark that is defaced, destroyed or  
11 altered to misrepresent the identity or to prevent the identification of the  
12 motor vehicles or parts of the motor vehicles, is guilty of a category B  
13 felony and shall be punished by imprisonment in the state prison for a  
14 minimum term of not less than 1 year and a maximum term of not more  
15 than 10 years, and may be further punished by a fine of not more than  
16 \$60,000, or by both fine and imprisonment.

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

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

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

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

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

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

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

42 5. For the purposes of this section:

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

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

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

6 482.545 It is unlawful for any person to commit any of the following  
7 acts:

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

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

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

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

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

30 6. Knowingly to operate a vehicle which:

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

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

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

39 482.553 1. A person shall not intentionally deface, destroy or alter

40 the ~~{motor number, other distinguishing number or}~~ identification **number**  
41 **or** mark of a vehicle ~~{required or employed for registration purposes or the~~  
42 ~~identification number or other distinguishing number or identification mark~~  
43 ~~of a}~~ **or** part of a motor vehicle ~~{which was placed or stamped on that part~~

1 ~~by the manufacturer pursuant to federal law or regulation~~ without written  
2 authorization from the department, nor shall any person place or stamp any  
3 serial, motor or other number or mark upon a vehicle or the parts thereof  
4 except one assigned thereto by the department.

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

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

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

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

16 4. Any person who violates ~~[any provisions]~~ *a provision* of subsection  
17 1 is guilty of a ~~[gross misdemeanor.]~~ *category D felony and shall be*  
18 *punished as provided in NRS 193.130, and may be further punished by a*  
19 *fine of not more than \$25,000.*

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

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

27 *(a) Defacing, destroying or altering the identity of the motor vehicle or*  
28 *the part of a motor vehicle, including, without limitation, the*  
29 *identification number, to misrepresent the identity of or prevent the*  
30 *identification of the motor vehicle or the part; or*

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

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

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

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