

ASSEMBLY BILL NO. 513—ASSEMBLYMEN OHRENSCHALL, CHOWNING, CARPENTER, NOLAN, CLABORN, MCCLAIN, KOIVISTO, WILLIAMS, PRICE, GIBBONS, NEIGHBORS, DE BRAGA, HUMKE, LEE, MORTENSON, BEERS, BERMAN, GIUNCHIGLIANI, MANENDO, COLLINS, PARKS AND BACHE

MARCH 12, 1999

JOINT SPONSORS: SENATORS SHAFFER AND CARE

Referred to Committee on Judiciary

SUMMARY—Requires security in civil action by uninsured motorist. (BDR 43-1001)

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

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

AN ACT relating to civil actions; requiring an uninsured motorist to provide security as a condition precedent to maintaining an action to recover from another person damages resulting from an accident involving his own operation of a vehicle; 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 485 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. The plaintiff in an action against another person to recover for***
4 ***death, personal injury or damage to property resulting from an accident***
5 ***involving the operation of a motor vehicle shall, unless the plaintiff at the***
6 ***time of the accident had in effect the insurance required by NRS 485.185***
7 ***or 485.186, provide an undertaking, with sureties, in the amount of***
8 ***\$40,000 in order to maintain the action.***
9 ***2. As used in this section:***
10 ***(a) "Action" includes, without limitation, a counterclaim, cross-claim***
11 ***and third-party claim; and***

1 **(b) “Plaintiff” means a party asserting a claim to relief in any such**
2 **action.**

3 **Sec. 2.** NRS 20.030 is hereby amended to read as follows:

4 20.030 In all cases where a bond or undertaking is required by the
5 provisions of Titles 2 to 6 , **inclusive**, of NRS, **or by section 1 of this act**,
6 the party required to give ~~{such}~~ **the** bond or undertaking may furnish
7 ~~{such}~~ **the** bond or undertaking with a surety or bonding company,
8 authorized to do business under the laws of this state and to furnish such
9 bonds or undertakings, to be approved by the court, judge, clerk, or deputy
10 clerk, in lieu of personal sureties. A party may, also, in lieu of a bond or
11 undertaking required by Titles 2 to 6 , **inclusive**, of NRS, **or section 1 of**
12 **this act**, deposit with the court, or clerk thereof, cash in the amount of the
13 bond or undertaking required.

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