

SENATE BILL NO. 155—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY)

FEBRUARY 10, 1999

Referred to Committee on Transportation

SUMMARY—Consolidates section for control of emissions from vehicles and bureau of enforcement within registration division of department of motor vehicles and public safety. (BDR 43-754)

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 the department of motor vehicles and public safety; abolishing the section for the control of emissions from vehicles within the registration division of the department; transferring the duties of the section to the bureau of enforcement within the registration division of the department; 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.** NRS 481.048 is hereby amended to read as follows:
2 481.048 1. There is hereby created, within the registration division of
3 the department, the bureau of enforcement.
4 2. The director shall appoint, within the limits of legislative
5 appropriations, investigators , ***officers and technicians*** in the bureau of
6 enforcement of the registration division of the department.
7 3. The duties of the investigators are to travel the state and:
8 (a) Act as investigators in the enforcement of the provisions of ~~chapters~~
9 ~~482 and 487 of NRS,~~ NRS 108.265 to 108.360, inclusive, ~~and~~ 108.440
10 to 108.500, inclusive, ***chapters 366 and 371 of NRS, NRS 445B.700 to***
11 ***445B.845, inclusive, NRS 484.644 and 484.6441, and chapters 487 and***
12 ***706 of NRS,*** as those ~~sections~~ ***provisions*** pertain to motor vehicles,
13 trailers, motorcycles, recreational vehicles and semitrailers, as defined in
14 chapter 482 of NRS.

1 (b) Act as ~~{adviser to dealers in connection with any problems arising~~
2 ~~under the provisions of that chapter.}~~ **advisers to holders of occupational**
3 **licenses obtained pursuant to the provisions of NRS that are enforced by**
4 **the bureau of enforcement.**

5 (c) Cooperate with personnel of ~~{the Nevada highway patrol}~~ **a law**
6 **enforcement agency** in the enforcement of the motor vehicle laws as they
7 pertain to ~~{dealers.}~~ **holders of occupational licenses obtained pursuant to**
8 **the provisions of NRS that are enforced by the bureau of enforcement.**

9 (d) **Cooperate with the division of environmental protection of the**
10 **state department of conservation and natural resources in all matters**
11 **pertaining to the control of emissions from vehicles.**

12 (e) Perform such other duties as may be imposed by the director.

13 **4. The duties of the officers and technicians are to travel the state**
14 **and:**

15 (a) **Act as agents and inspectors in the enforcement of the provisions**
16 **of NRS 445B.700 to 445B.845, inclusive, chapter 482 of NRS and NRS**
17 **484.644 and 484.6441.**

18 (b) **Cooperate with the division of environmental protection of the**
19 **state department of conservation and natural resources in all matters**
20 **pertaining to the control of emissions from vehicles.**

21 (c) **Perform such other duties as may be imposed by the director.**

22 **Sec. 2.** NRS 481.053 is hereby amended to read as follows:

23 481.053 1. The governor shall appoint the peace officers' standards
24 and training committee.

25 2. The committee consists of seven members, one appointed from
26 Clark County, one from Washoe County, three from any other counties, one
27 from category II peace officers and one from category III peace officers.
28 Members serve terms of 2 years ~~{from}~~ **after** the date of appointment.
29 Members serve without compensation but are entitled to the per diem
30 allowance and travel expenses provided by law for state officers and
31 employees generally.

32 3. The governor shall make the appointments from recommendations
33 submitted by Clark County, Washoe County, professional organizations of
34 sheriffs and police chiefs of this state, category II peace officers and
35 category III peace officers.

36 4. The committee shall:

37 (a) Meet at the call of the chairman, who must be elected by the
38 members of the committee.

39 (b) Provide for and encourage the training and education of peace
40 officers in order to improve the system of criminal justice.

41 (c) Adopt regulations establishing minimum standards for the
42 certification and decertification, recruitment, selection and training of peace
43 officers.

1 (d) Make necessary inquiries to determine whether agencies of the state
2 and of local governments are complying with standards set forth in its
3 regulations.

4 (e) Carry out the duties required of the committee pursuant to NRS
5 432B.610 and 432B.620.

6 5. Regulations adopted by the committee:

7 (a) Apply to all agencies of the state and of local governments which
8 employ persons as peace officers;

9 (b) Must require that all peace officers receive training in the handling
10 of cases involving abuse or neglect of children or missing children; and

11 (c) May require that training be carried on at institutions which it
12 approves in those regulations.

13 6. The director may adopt regulations necessary for the operation of
14 the committee and the enforcement of laws administered by the committee.

15 7. As used in this section:

16 (a) "Category II peace officer" means:

17 (1) The bailiff of the supreme court;

18 (2) The bailiffs of the district courts, justices' courts and municipal
19 courts whose duties require them to carry weapons and make arrests;

20 (3) Constables and their deputies whose official duties require them to
21 carry weapons and make arrests;

22 (4) Inspectors employed by the transportation services authority who
23 exercise those powers of enforcement conferred by chapters 706 and 712 of
24 NRS;

25 (5) Parole and probation officers;

26 (6) Special investigators who are employed full time by the office of
27 any district attorney or the attorney general;

28 (7) Investigators of arson for fire departments who are specially
29 designated by the appointing authority;

30 (8) The assistant and deputies of the state fire marshal;

31 (9) The brand inspectors of the division of agriculture of the
32 department of business and industry who exercise the powers of
33 enforcement conferred in chapter 565 of NRS;

34 (10) Investigators for the state forester firewarden who are specially
35 designated by him and whose primary duties are the investigation of arson;

36 (11) School police officers employed by the board of trustees of any
37 county school district;

38 (12) Agents of the state gaming control board who exercise the
39 powers of enforcement specified in NRS 289.360, 463.140 or 463.1405,
40 except those agents whose duties relate primarily to auditing, accounting,
41 the collection of taxes or license fees, or the investigation of applicants for
42 licenses;

(13) Investigators, *officers, technicians* and administrators of the bureau of enforcement of the registration division of the department of motor vehicles and public safety who perform the duties specified in ~~{subsection 3 of}~~ NRS 481.048;

~~(14) {Officers and investigators of the section for the control of emissions from vehicles of the registration division of the department of motor vehicles and public safety who perform the duties specified in subsection 3 of NRS 481.0481;~~

~~—(15)}~~ Legislative police officers of the State of Nevada;

~~{(16)}~~ (15) The personnel of the capitol police division of the department of motor vehicles and public safety appointed pursuant to subsection 2 of NRS 331.140;

~~{(17)}~~ (16) Parole counselors of the division of child and family services of the department of human resources;

~~{(18)}~~ (17) Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in Nevada or by a department of family, youth and juvenile services established pursuant to NRS 62.1264 whose official duties require them to enforce court orders on juvenile offenders and make arrests;

~~{(19)}~~ (18) Field investigators of the taxicab authority;

~~{(20)}~~ (19) Security officers employed full time by a city or county whose official duties require them to carry weapons and make arrests; and

~~{(21)}~~ (20) The chief of a department of alternative sentencing created pursuant to NRS 211A.080 and the assistant alternative sentencing officers employed by that department.

(b) “Category III peace officer” means peace officers whose authority is limited to correctional services, and includes the superintendents and correctional officers of the department of prisons.

Sec. 3. NRS 289.270 is hereby amended to read as follows:

289.270 1. The following persons have the powers of a peace officer:

(a) The director of the department of motor vehicles and public safety.

(b) The chiefs of the divisions of the department of motor vehicles and public safety.

(c) The deputy directors of the department of motor vehicles and public safety employed pursuant to subsection 2 of NRS 481.035.

(d) The investigators and agents of the investigation division of the department of motor vehicles and public safety and any other officer or employee of that division whose principal duty is to enforce one or more laws of this state, and any person promoted from such a duty to a supervisory position related to such a duty.

(e) The personnel of the capitol police division of the department of motor vehicles and public safety appointed pursuant to subsection 2 of NRS 331.140.

1 2. The personnel of the Nevada highway patrol appointed pursuant to
2 subsection 2 of NRS 481.150 have the powers of a peace officer specified
3 in NRS 481.150 and 481.180.

4 3. Administrators, ~~and~~ investigators, **officers and technicians** of the
5 bureau of enforcement of the registration division of the department of
6 motor vehicles and public safety have the powers of a peace officer to
7 enforce any law of the State of Nevada in carrying out their duties ~~under~~
8 **pursuant to** NRS 481.048.

9 4. ~~Officers and investigators of the section for the control of emissions~~
10 ~~from vehicles of the registration division of the department of motor~~
11 ~~vehicles and public safety, appointed pursuant to NRS 481.0481, have the~~
12 ~~powers of peace officers in carrying out their duties under that section.~~

13 ~~—5.~~ Members of the state disaster identification team of the division of
14 emergency management of the department of motor vehicles and public
15 safety who are, pursuant to NRS 414.270, activated by the chief of the
16 division during a state of emergency proclaimed pursuant to NRS 414.070
17 to perform the duties of the state disaster identification team, have the
18 powers of peace officers in carrying out those duties.

19 **Sec. 4.** NRS 289.400 is hereby amended to read as follows:

20 289.400 In addition to the compensation required by NRS 281.121, a
21 state agency that employs a person:

22 1. Upon whom some or all of the powers of a peace officer are
23 conferred pursuant to subsection 1 of NRS 289.180, subsection 1 of NRS
24 289.220 or subsection 2 or ~~5~~ 4 of NRS 289.270; and

25 2. Who is required to purchase and wear his own uniform or other
26 clothing, accessories or safety equipment while performing his duties for
27 the state as a peace officer,
28 may, after first obtaining the written approval of the director of the
29 department of administration, reimburse that person for the cost to repair or
30 replace his required uniform or other clothing, accessories or safety
31 equipment if it is damaged or destroyed, by means other than ordinary wear
32 and tear, while he is performing his duties for the state as a peace officer.

33 **Sec. 5.** NRS 481.0481 is hereby repealed.

34 **Sec. 6.** This act becomes effective upon passage and approval.

TEXT OF REPEALED SECTION

481.0481 Section for control of emissions from vehicles: Creation; appointment and duties of investigators, officers and technicians.

1. There is hereby created, within the registration division of the
department, a section for the control of emissions from vehicles.

2. The director shall appoint, within the limits of legislative appropriations, investigators, officers and technicians for the control of emissions from vehicles.

3. The duties of the investigators, officers and technicians are to travel the state and:

(a) Act as agents and inspectors in the enforcement of the provisions of NRS 445B.700 to 445B.845, inclusive, chapter 482 of NRS and NRS 484.644 and 484.6441.

(b) Cooperate with the division of environmental protection of the state department of conservation and natural resources in all matters pertaining to the control of emissions from vehicles.

(c) Perform such other duties as may be imposed by the director.

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