

SENATE BILL NO. 387—COMMITTEE ON TRANSPORTATION

MARCH 12, 1999

Referred to Committee on Transportation

SUMMARY—Revises provisions governing maintenance and use by Nevada highway patrol of lists of operators of tow cars. (BDR 58-1607)

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

~

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

AN ACT relating to tow cars; revising the provisions governing the maintenance and use by the Nevada highway patrol of lists of operators of tow cars; 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 706.4485 is hereby amended to read as follows:
2 706.4485 ***1.*** A law enforcement agency that maintains and uses a list
3 of operators of tow cars which are called by that agency to provide towing
4 shall not include an operator of a tow car on the list unless he:
5 ~~(1.)~~ ***(a)*** Holds a certificate of public convenience and necessity issued
6 by the authority.
7 ~~(2.)~~ ***(b)*** Complies with all applicable provisions of this chapter and
8 chapters 482 and 484 of NRS.
9 ~~(3.)~~ ***(c)*** Agrees to respond in a timely manner to requests for towing
10 made by the agency.
11 ~~(4.)~~ ***(d)*** Maintains adequate, accessible and secure storage within the
12 State of Nevada for any vehicle that is towed.
13 ~~(5.)~~ ***(e)*** Complies with all standards the law enforcement agency may
14 adopt to protect the health, safety and welfare of the public.
15 ~~(6.)~~ ***(f)*** Assesses only rates and charges that have been approved by the
16 authority for towing services performed without the prior consent of the
17 owner of the vehicle or the person authorized by the owner to operate the
18 vehicle.

1 ~~17.1~~ 2. The authority shall not require that an operator of a tow car
2 charge the same rate to law enforcement agencies for towing services
3 performed without the prior consent of the owner of the vehicle or the
4 person authorized by the owner to operate the vehicle that the operator
5 charges to other persons for such services.

6 *3. Except as otherwise provided in this subsection, if an operator of a*
7 *tow car is included on a list of operators of tow cars that is maintained*
8 *and used by the Nevada highway patrol pursuant to this section, the*
9 *Nevada highway patrol shall not remove the operator of the tow car from*
10 *the list, or restrict his use pursuant thereto, solely on the ground that the*
11 *operator is insured under the same policy of insurance as one other*
12 *operator of a tow car who is included on the list and operates in the same*
13 *geographical area. An operator of a tow car is not eligible for inclusion*
14 *on the list if the operator is insured under the same policy of insurance*
15 *as two or more other operators of tow cars who are included on the list*
16 *and operate in the same geographical area.*

17 **Sec. 2.** 1. Not later than 10 days after the effective date of this act,
18 the Nevada highway patrol shall add to the list of operators of tow cars
19 maintained and used by it pursuant to the provisions of NRS 706.4485 any
20 operator of a tow car who:

21 (a) Is eligible pursuant to NRS 706.4485 to be included on the list; and
22 (b) Was included on the list on June 30, 1998, and was subsequently
23 removed from that list by the Nevada highway patrol solely on the ground
24 that the operator was insured under the same policy of insurance as one
25 other operator of a tow car who was included on the list and operated in the
26 same geographical area.

27 2. An operator of a tow car who is added to the list pursuant to the
28 provisions of subsection 1:

29 (a) Must remain on the list as long as he is qualified for inclusion on the
30 list pursuant to NRS 706.4485.

31 (b) Does not have a cause of action for any damages incurred by him
32 because of his removal from the list.

33 **Sec. 3.** This act becomes effective upon passage and approval.