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NRS 706.756 Criminal penalties.

1. Except as otherwise provided in subsection 2, any person who:

- (a) Operates a vehicle or causes it to be operated in any carriage to which the provisions of NRS 706.011 to 706.861, inclusive, apply without first obtaining a certificate, permit or license, or in violation of the terms thereof;
- (b) Fails to make any return or report required by the provisions of NRS 706.011 to 706.861, inclusive, or by the authority or the department pursuant to the provisions of NRS 706.011 to 706.861, inclusive;
- (c) Violates, or procures, aids or abets the violating of, any provision of NRS 706.011 to 706.861, inclusive;
- (d) Fails to obey any order, decision or regulation of the authority or the department;
- (e) Procures, aids or abets any person in his failure to obey such an order, decision or regulation of the authority or the department;
- (f) Advertises, solicits, proffers bids or otherwise holds himself out to perform transportation as a common or contract carrier in violation of any of the provisions of NRS 706.011 to 706.861, inclusive;
- (g) Advertises as providing:
 - (1) The services of a fully regulated carrier; or
 - (2) Towing services,

without including the number of his certificate of public convenience and necessity or contract carrier's permit in each advertisement;

- (h) Knowingly offers, gives, solicits or accepts any rebate, concession or discrimination in violation of the provisions of this chapter;
- (i) Knowingly, willfully and fraudulently seeks to evade or defeat the purposes of this chapter;
- (j) Operates or causes to be operated a vehicle which does not have the proper identifying device;
- (k) Displays or causes or permits to be displayed a certificate, permit, license or identifying device, knowing it to be fictitious or to have been canceled, revoked, suspended or altered;
- (l) Lends or knowingly permits the use of by one not entitled thereto any certificate, permit, license or identifying device issued to the person so lending or permitting the use thereof; or
- (m) Refuses or fails to surrender to the authority or department any certificate, permit, license or identifying device which has been suspended, canceled or revoked pursuant to the provisions of this chapter, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. A person convicted of a misdemeanor for a violation of the provisions of NRS 706.386 or 706.421 shall be punished:

- (a) For the first offense, by a fine of not less than \$500 nor more than \$1,000;
- (b) For a second offense within 12 consecutive months and each subsequent offense, by a fine of \$1,000; or
- (c) For any offense, by imprisonment in the county jail for not more than 6 months, or by both the prescribed fine and imprisonment.

3. Any person who operates or permits the operation of a vehicle in passenger service without a certificate of public convenience and necessity issued pursuant to NRS 706.391 is guilty of a gross misdemeanor. If a law enforcement officer witnesses a violation of this subsection, he may cause the vehicle to be towed immediately from the scene.

4. The fines provided in this section are mandatory and must not be reduced under any circumstances by the court.

5. Any bail allowed must not be less than the appropriate fine provided for by this section.

(Added to NRS by 1971, 716; A 1979, 919; 1981, 1031; 1985, 333; 1987, 2258; 1989, 211, 1413; 1995, 2618; 1997, 1543, 1952, 2681, 2990; 1999, 626, 627, 1963)

ATTORNEY GENERAL'S OPINIONS.

"Courtesy cars" require certificate of public convenience and necessity. Where, during a strike of taxicab drivers, drivers use personal cars to transport passengers, advise them of regular taxi rates and leave a box in the back seat for a "tip," the operators of such "courtesy cars" are

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ASSEMBLY TRANSPORTATION

DATE: 5/8/03 ROOM: 3143 EXHIBIT F1-2

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subject to the provisions of former NRS 706. 690 (cf. NRS 706.756), which make the operation of a motor vehicle carrier without a certificate of public convenience and necessity, a misdemeanor. AGO 434 (9-11-1967)