

CHAPTER.....

AN ACT relating to intoxicating liquor; revising certain provisions governing the importation of liquor by a common or contract carrier; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 369.450 is hereby amended to read as follows:

369.450 1. ~~[The Department shall make regulations and provide forms for distribution free of charge to all persons qualified as importers of liquor, to be filled out by exporters and carriers of liquor consigned to points in this state as evidence for consideration respecting the legality of such transactions.~~

~~—2.] Every common carrier [by special permit shall have with his or its agent or servant in immediate charge, or in the records of the carrier, of every shipment of liquor into this state,] and every regularly operating contract carrier shall make available to the Department a statement or freight bill for every shipment of liquor into this state, showing:~~

(a) The names of *the* consignor, consignee and carrier ~~[.] of the shipment;~~

(b) The date when and place where the shipment was received ~~[.] ; and~~

(c) The destination ~~[.]~~

~~—(d) The number identifying the railroad car, truck or other conveyance used.~~

~~—(e) The quantity and kind of liquor in the shipment, as the case may be, according to the designation of kind and quantity of liquor appearing on the statement or freight bill.~~

~~—3.] of the shipment.~~

2. The Department may ~~[make rules requiring the carrier to cause the consignee to sign a statement or a postcard, which statement or postcard shall be furnished by the Department to the carrier without expense,] adopt regulations requiring:~~

(a) *The carrier to:*

(1) *Cause a person who is at least 21 years of age to sign for the receipt of each such shipment by the consignee, and to sign a document confirming the delivery of the shipment to the consignee,* before the carrier permits the consignee to remove ~~[any such] the~~ shipment from the point of destination or possession of the carrier ~~[, and to cause the carrier to forward such statement or postcard to the Department after having been so signed by the consignee.~~

~~—4.] ; and~~

*(2) Forward to the consignor the signed document confirming the delivery of the shipment to the consignee; and*

*(b) The consignor to forward to the Department the signed document confirming the delivery of the shipment to the consignee.*

3. No liquor ~~[shall]~~ *may* be imported into this state except by *a* common carrier, *a regularly operating* contract carrier ~~[regularly operating as such,]~~ or a carrier having a special permit ~~[so to do in the case of each shipment. —5.]~~ *to do so.*

4. By special permit, the Department may authorize the transportation of liquor within this state by means of a conveyance owned and operated by a licensed importer, or a conveyance owned and operated by another, not being a common carrier or a regularly operating contract carrier. As a condition of such permit the Department may require that a sign be carried on such conveyance in letters at least 3 inches high, stating that ~~[such]~~ *the* conveyance is carrying wholesale liquor by special permit. Such carriers by special permit ~~[shall be governed by]~~ *are subject to* the same rules respecting reports and deliveries of import liquors as ~~[in the case of]~~ *are* common carriers and regularly operating contract carriers.

5. *As used in this section:*

*(a) "Common carrier" means a person who undertakes for hire, as a regular business, the transportation of liquor from place to place, and who offers its services to all who choose to employ it and to pay its charges therefor.*

*(b) "Regularly operating contract carrier" means a person who, as a regular business, transports liquor from place to place pursuant to continuing contractual obligations.*

**Sec. 2.** NRS 369.4865 is hereby amended to read as follows:

369.4865 1. A retail liquor store that holds a nonrestricted license may transfer an original package of liquor to another retail liquor store that holds a nonrestricted license, and that other retail liquor store may receive the original package of liquor pursuant to the transfer, if:

(a) Each retail liquor store:

(1) Holds its nonrestricted license for the purposes set forth in subsection 2 of NRS 463.0177; and

(2) Is in the marketing area of the wholesale dealer from which the original package of liquor was obtained by the initial retail liquor store;

(b) The initial retail liquor store:

(1) Obtained the original package of liquor in compliance with the provisions of this chapter;

(2) Is an affiliate of the retail liquor store that receives the transfer; and

(3) Does not charge the retail liquor store that receives the transfer for the original package of liquor;

(c) Immediately before the transfer, the original package of liquor is located at the initial retail liquor store; and

(d) Pursuant to the transfer, the original package of liquor is transported from the initial retail liquor store to the other retail liquor store.

2. A transfer authorized by this section shall not be deemed a sale.

3. A retail liquor store that transfers or receives an original package of liquor as authorized by this section:

(a) Shall not be deemed to be engaged in business as a wholesale dealer based upon the transfer authorized by this section.

(b) Notwithstanding the provisions of subsection ~~5~~ 4 of NRS 369.450, may transport the original package of liquor from the initial retail liquor store to the other retail liquor store without a special permit for such transportation.

4. As used in this section:

(a) "Affiliate" has the meaning ascribed to it in NRS 463.0133.

(b) "Liquor" does not include beer.

(c) "Marketing area" has the meaning ascribed to it in NRS 597.136.

(d) "Nonrestricted license" has the meaning ascribed to it in NRS 463.0177.