

ASSEMBLY BILL NO. 154—COMMITTEE ON TRANSPORTATION

FEBRUARY 22, 2007

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the transportation of pupils by certain private schools. (BDR 58-1190)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 motor carriers; exempting the transportation of persons or property in connection with the operation of certain private schools or related school activities from certain provisions governing motor carriers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the regulation and licensing of motor carriers. (NRS
2 706.011-706.791) Current exemptions from such provisions are, without limitation,
3 provided for: (1) a contractor transporting his own equipment from job to job; (2) a
4 person transporting his own personal effects; (3) special mobile equipment such as
5 forklifts, road construction and maintenance machinery and earth-moving
6 equipment; (4) vehicles used in the production of motion pictures and films; (5) a
7 private motor carrier of property used for conventions, shows or sporting events;
8 and (6) a private motor carrier of property used for livestock shows and sales. (NRS
9 706.736) However, the exemptions do not extend to certain provisions concerning
10 the safety of drivers and vehicles. (NRS 706.736) This bill provides a similar
11 exemption from the provisions of NRS 706.011 to 706.791, inclusive, for the
12 transportation by certain private schools of persons or property in connection with
13 the operation of the school or related school activities under certain circumstances.

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

1 **Section 1.** NRS 706.736 is hereby amended to read as follows:
2 706.736 1. Except as otherwise provided in subsection 2, the
3 provisions of NRS 706.011 to 706.791, inclusive, do not apply to:



* A B 1 5 4 R 1 *

(a) The transportation by a contractor licensed by the State Contractors' Board of his own equipment in his own vehicles from job to job.

(b) Any person engaged in transporting his own personal effects in his own vehicle, but the provisions of this subsection do not apply to any person engaged in transportation by vehicle of property sold or to be sold, or used by him in the furtherance of any commercial enterprise other than as provided in paragraph (d), or to the carriage of any property for compensation.

(c) Special mobile equipment.

(d) The vehicle of any person, when that vehicle is being used in the production of motion pictures, including films to be shown in theaters and on television, industrial training and educational films, commercials for television and video discs and tapes.

(e) A private motor carrier of property which is used for any convention, show, exhibition, sporting event, carnival, circus or organized recreational activity.

(f) A private motor carrier of property which is used to attend livestock shows and sales.

(g) The transportation by a private school of persons or property in connection with the operation of the school or related school activities, so long as the vehicle that is used to transport the persons or property does not have a gross vehicle weight rating of 26,001 pounds or more and is not registered pursuant to NRS 706.801 to 706.861, inclusive.

2. Unless exempted by a specific state statute or a specific federal statute, regulation or rule, any person referred to in subsection 1 is subject to:

(a) The provisions of paragraph (d) of subsection 1 of NRS 706.171 and NRS 706.235 to 706.256, inclusive, 706.281, 706.457 and 706.458.

(b) All rules and regulations adopted by reference pursuant to paragraph (b) of subsection 1 of NRS 706.171 concerning the safety of drivers and vehicles.

(c) All standards adopted by regulation pursuant to NRS 706.173.

3. The provisions of NRS 706.311 to 706.453, inclusive, 706.471, 706.473, 706.475 and 706.6411 which authorize the Authority to issue:

(a) Except as otherwise provided in paragraph (b), certificates of public convenience and necessity and contract carriers' permits and to regulate rates, routes and services apply only to fully regulated carriers.

(b) Certificates of public convenience and necessity to operators of tow cars and to regulate rates for towing services performed



1 without the prior consent of the owner of the vehicle or the person
2 authorized by the owner to operate the vehicle apply to operators of
3 tow cars.

4 4. Any person who operates pursuant to a claim of an
5 exemption provided by this section but who is found to be operating
6 in a manner not covered by any of those exemptions immediately
7 becomes liable, in addition to any other penalties provided in this
8 chapter, for the fee appropriate to his actual operation as prescribed
9 in this chapter, computed from the date when that operation began.

10 5. *As used in this section, "private school" means a nonprofit*
11 *private elementary or secondary educational institution that is*
12 *licensed in this State.*

13 Sec. 2. This act becomes effective on July 1, 2007.

