

ASSEMBLY BILL NO. 311—ASSEMBLYMEN HARDY, GANSERT,
BEERS, PARKS, COBB, DENIS, GOEDHART, MABEY,
MARVEL, MCCLAIN, SETTELMEYER, STEWART AND WEBER

MARCH 14, 2007

JOINT SPONSORS: SENATORS CARE AND HECK

Referred to Committee on Transportation

SUMMARY—Revises provisions regarding the imposition of
certain fees for the storage of a motor vehicle.
(BDR 58-1066)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 motor vehicles; prohibiting certain fees from
being charged for the storage of a motor vehicle in certain
circumstances; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 Existing law prohibits a tow car operator from charging an owner of a motor
2 vehicle any administrative or processing fee for the period ending 14 days after the
3 date on which the motor vehicle was placed in storage. (NRS 706.4479) This bill
4 expands existing law and provides that an operator shall not impose any fees for the
5 storage of a vehicle for a period longer than 21 days after placing the motor vehicle
6 in storage if the vehicle was towed at the request of a law enforcement officer
7 following an accident involving the vehicle or for a period longer than 15 days after
8 placing any other motor vehicle in storage, unless the operator makes a reasonable
9 attempt to ascertain the identity of the owner of the vehicle and provide notification
10 by certified mail that the vehicle has been towed and stored.



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

Section 1. NRS 706.4479 is hereby amended to read as follows:

706.4479 1. If a motor vehicle is towed at the request of someone other than the owner, or authorized agent of the owner, of the motor vehicle, the operator shall, in addition to the requirements set forth in the provisions of chapter 108 of NRS:

(a) Notify the registered and legal owner of the motor vehicle by certified mail not later than 21 days after placing the motor vehicle in storage if the motor vehicle was towed at the request of a law enforcement officer following an accident involving the motor vehicle or not later than 15 days after placing any other vehicle in storage:

(1) Of the location where the motor vehicle is being stored;

(2) Whether the storage is inside a locked building, in a secured, fenced area or in an unsecured, open area;

(3) Of the charge for **towing and** storage; and

(4) Of the date and time the vehicle was placed in storage.

(b) If the identity of the registered and legal ~~{owners}~~ **owner** is not **known or** readily available, ~~{request the}~~ **make every reasonable attempt and use all resources reasonably necessary, as evidenced by written documentation, to obtain the identity of the owner and any other** necessary information from the ~~{Department.}~~ **agency charged with the registration of the motor vehicle in this State or any other state within:**

(1) Twenty-one days after placing the motor vehicle in storage if the motor vehicle was towed at the request of a law enforcement officer following an accident involving the motor vehicle; or

(2) Fifteen days after placing any other motor vehicle in storage.

↪ The operator shall attempt to notify the owner of the vehicle **by certified mail** as soon as possible, but in no case later than ~~1:~~

~~—— (1) Twenty one days after identification of the owner is obtained if the motor vehicle that is placed in storage was towed at the request of a law enforcement officer following an accident involving the motor vehicle; or~~

~~—— (2) Fifteen~~ **15** days after identification of the owner is obtained for any ~~{other}~~ motor vehicle.

~~{(c) Use all resources reasonably necessary to ascertain the name of the owner of a vehicle and is responsible for making an independent inquiry and correct notification of the owner.}~~



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1 2. ~~If a motor vehicle that is placed in storage was towed at the~~
2 ~~request of a law enforcement officer following an accident involving~~
3 ~~the motor vehicle, the operator shall not impose any administrative~~
4 ~~or processing fee or charge with respect to the vehicle for the period~~
5 ~~ending 14 days after the date on which the motor vehicle was placed~~
6 ~~in storage.] If an operator includes in his tariff a fee to be charged~~
7 ~~to the registered and legal owner of a vehicle for the towing and~~
8 ~~storage of the vehicle, the fee may not be charged:~~

9 (a) *For more than 21 days after placing the motor vehicle in*
10 *storage if the motor vehicle was towed at the request of a law*
11 *enforcement officer following an accident involving the motor*
12 *vehicle; or*

13 (b) *For more than 15 days after placing any other vehicle in*
14 *storage,*
15 *↪ unless the operator complies with the requirements set forth in*
16 *subsection 1.*

17 **Sec. 2.** This act becomes effective on January 1, 2008.

