

ASSEMBLY BILL NO. 71—COMMITTEE ON TRANSPORTATION

PREFILED FEBRUARY 2, 2007

Referred to Committee on Transportation

SUMMARY—Makes various changes to procedures when a vehicle is involved in a traffic accident. (BDR 43-747)

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 traffic laws; making various changes to procedures when a vehicle is involved in a traffic accident; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a driver of a vehicle involved in a traffic accident that
2 results only in property damage to stop his vehicle at the scene of the accident or, if
3 his vehicle is obstructing traffic, at a location as close to the scene as possible.
4 (NRS 484.221) **Section 1** of this bill clarifies that after stopping his vehicle at the
5 scene of an accident, the driver is required to move his vehicle or cause the vehicle
6 to be moved, as soon as reasonably practicable, if the vehicle is obstructing traffic
7 and can be moved safely. In addition, **sections 1-3** of this bill provide that a person
8 who moves or causes his vehicle to be moved is not required to file a report with
9 the police or the Department of Motor Vehicles. (NRS 484.223, 484.229)

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

1 **Section 1.** NRS 484.221 is hereby amended to read as follows:
2 484.221 **1.** The driver of any vehicle involved in an accident
3 resulting only in damage to a vehicle or other property which is
4 driven or attended by any person shall ~~immediately~~ :
5 **(a) Immediately** stop his vehicle at the scene of the accident ~~for,~~
6 ~~if;~~ **and**



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(b) As soon as reasonably practicable, if his vehicle is obstructing traffic ~~[,at]~~ and can be moved safely, move the vehicle or cause the vehicle to be moved to a location as close thereto as possible that does not obstruct traffic ~~[, and shall forthwith]~~ and return to and remain at the scene of the accident until he has fulfilled the requirements of NRS 484.223.

2. A driver who moves or causes his vehicle to be moved in compliance with subsection 1 is not required to file a report pursuant to NRS 484.223 or 484.229. The exception to the reporting requirement does not apply to a person who complies with subsection 1 without moving his vehicle.

Sec. 2. NRS 484.223 is hereby amended to read as follows:

484.223 1. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property which is driven or attended by any person shall:

(a) Give his name, address and the registration number of the vehicle he is driving, and shall , upon request and if available , exhibit his license to operate a motor vehicle to any person injured in such accident or to the driver or occupant of or person attending any vehicle or other property damaged in such accident;

(b) Give such information and upon request manually surrender such license to any police officer at the scene of the accident or who is investigating the accident; and

(c) Render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.

2. ~~[[~~ Except as otherwise provided in NRS 484.221, if no police officer is present, the driver of any vehicle involved in such accident , after fulfilling all other requirements of subsection 1 and NRS 484.219, insofar as possible on his part to be performed, shall forthwith report such accident to the nearest office of a police authority or of the Nevada Highway Patrol and submit thereto the information specified in subsection 1.

Sec. 3. NRS 484.229 is hereby amended to read as follows:

484.229 1. Except as otherwise provided in subsections 2, 3 and 4 ~~[[~~ and NRS 484.221, the driver of a vehicle which is in any manner involved in an accident on a highway or on premises to which the public has access, if the accident results in bodily injury to or the death of any person or total damage to any vehicle or item of property to an apparent extent of \$750 or more, shall, within 10 days after the accident, forward a written report of the accident to the Department. Whenever damage occurs to a motor vehicle, the



operator shall attach to the accident report an estimate of repairs or a statement of the total loss from an established repair garage, an insurance adjuster employed by an insurer licensed to do business in this State, an adjuster licensed pursuant to chapter 684A of NRS or an appraiser licensed pursuant to chapter 684B of NRS. The Department may require the driver or owner of the vehicle to file supplemental written reports whenever the original report is insufficient in the opinion of the Department.

2. A report is not required from any person if the accident was investigated by a law enforcement agency and the report of the investigating officer contains:

(a) The name and address of the insurance company providing coverage to each person involved in the accident;

(b) The number of each policy; and

(c) The dates on which the coverage begins and ends.

3. The driver of a vehicle subject to the jurisdiction of the Surface Transportation Board or the Transportation Services Authority need not submit in his report the information requested pursuant to subsection 3 of NRS 484.247 until the 10th day of the month following the month in which the accident occurred.

4. A written accident report is not required pursuant to this chapter from any person who is physically incapable of making a report, during the period of his incapacity. Whenever the driver is physically incapable of making a written report of an accident as required in this section and he is not the owner of the vehicle, the owner shall, within 10 days after knowledge of the accident, make the report not made by the driver.

5. All written reports required in this section to be forwarded to the Department by drivers or owners of vehicles involved in accidents are without prejudice to the person so reporting and are for the confidential use of the Department or other state agencies having use of the records for accident prevention, except that the Department may disclose to a person involved in an accident or to his insurer the identity of another person involved in the accident when his identity is not otherwise known or when he denies his presence at the accident. The Department may also disclose the name of his insurer and the number of his policy.

6. A written report forwarded pursuant to the provisions of this section may not be used as evidence in any trial, civil or criminal, arising out of an accident except that the Department shall furnish upon demand of any party to such a trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Department in compliance with law H and, if the report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the



- 1 vehicles involved and the investigating officers. The report may be
- 2 used as evidence when necessary to prosecute charges filed in
- 3 connection with a violation of NRS 484.236.

