

Amendment No. 453

Assembly Amendment to Assembly Bill No. 311 (BDR 58-1066)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

CAF/SGW



Date: 4/22/2007

A.B. No. 311—Revises provisions regarding the imposition of certain fees for the storage of a motor vehicle. (BDR 58-1066)



ASSEMBLY BILL NO. 311—ASSEMBLYMEN HARDY, GANSERT, BEERS, PARKS, COBB,
DENIS, GOEDHART, MABEY, MARVEL, MCCLAIN, SETTELMAYER, 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:

Existing law prohibits a tow car operator from charging an owner of a motor vehicle any administrative or processing fee for the period ending 14 days after the date on which the motor vehicle was placed in storage. (NRS 706.4479) This bill expands existing law and provides that an operator shall not impose any ~~administrative or processing~~ fees ~~for charges~~ for the storage of ~~any vehicle that was towed at the request of someone other than the owner, for any period in excess of 21 days after the date the motor vehicle was placed in storage,~~ a vehicle for a period longer than 21 days after placing the motor vehicle in storage if the vehicle was towed at the request of a law enforcement officer following an accident involving the vehicle or for a period longer than 15 days after placing any other motor vehicle in storage, unless the operator ~~notifies~~ makes a reasonable attempt to ascertain the identity of the owner of the vehicle and provide notification 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 ~~owner~~ **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 15** :

(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 ~~the~~ 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 ~~15~~ :

~~(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** ~~it~~ make an independent inquiry if necessary and provide correct notification ~~to~~ ~~to the owner.~~~~

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

~~(a) For more 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~~

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

~~**3. If a motor vehicle that is placed in storage was towed at the request of someone other than the owner, or authorized agent of the owner, of the motor vehicle, the operator shall not impose any administrative or processing fee or charge with respect to the vehicle, including, without limitation, a fee for storage of the vehicle, for any period in excess of 21 days after the date on which the motor vehicle was placed in storage, unless the operator notifies the owner of the motor vehicle by certified mail that the vehicle has been towed and stored.**~~

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