

SENATE BILL NO. 312—SENATOR GUSTAVSON
(BY REQUEST)

MARCH 21, 2011

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to transportation.
(BDR 58-1070)

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

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted-material] is material to be omitted.

AN ACT relating to transportation; providing for the deregulation of certain motor carriers; authorizing the limited regulation of certain providers of transportation services and other entities; eliminating the Nevada Transportation Authority; providing for the imposition of certain regulatory fees; providing for the transfer of the Southern Nevada Taxicab Authority to Clark County; declaring certain administrative regulations void; requiring the transfer to the State General Fund of certain money in the Nevada Transportation Authority Regulatory Fund and the Taxicab Authority Fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the regulation of motor carriers. (Chapter 706 of
2 NRS) This bill provides for the deregulation of certain motor carriers, the limited
3 regulation of certain providers of transportation services and other entities and the
4 elimination of the Nevada Transportation Authority. **Section 3** of this bill provides
5 for the transfer of regulatory authority over limousines and taxicabs to counties and
6 cities. **Section 4** of this bill transfers regulatory control over tow cars to the
7 Department of Public Safety, but only with respect to nonconsensual tows. **Section**
8 **5** of this bill transfers regulatory control over the transportation and storage of
9 household goods to the Department of Business and Industry. In addition, **sections**
10 **3-5** authorize the imposition of fees on the persons being regulated pursuant to
11 those sections. **Sections 7-54** of this bill make conforming changes to existing
12 statutes. **Section 55** of this bill requires Clark County to adopt an ordinance to
13 regulate the activities of limousines and taxicabs within Clark County and transfers
14 the Southern Nevada Taxicab Authority to the control of Clark County. **Section 56**



* S B 3 1 2 *

of this bill declares void certain administrative regulations governing motor carriers. **Section 57** of this bill requires the transfer to the State General Fund of certain money in the Nevada Transportation Authority Regulatory Fund and the Taxicab Authority Fund. **Section 58** of this bill repeals certain provisions to carry out the purposes of this bill.

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

Section 1. NRS 703.175 is hereby amended to read as follows:

703.175 1. Upon receiving a request to disconnect a telephone number from the State Contractors' Board pursuant to NRS 624.720 ~~[]~~ or the Board of Massage Therapists pursuant to NRS 640C.930, ~~[for the Nevada Transportation Authority pursuant to NRS 706.758.]~~ the Commission shall issue an order to the appropriate provider of telephone service to disconnect the telephone number.

2. Compliance in good faith by a provider of telephone service with an order of the Commission to terminate service issued pursuant to this section shall constitute a complete defense to any civil or criminal action brought against the provider of telephone service arising from the termination of service.

3. As used in this section, "provider of telephone service" has the meaning ascribed to it in NRS 707.355.

Sec. 2. Chapter 706 of NRS is hereby amended by adding thereto the provisions set forth as sections 3, 4 and 5 of this act.

Sec. 3. 1. A board of county commissioners or a city council may adopt an ordinance to regulate the activities of limousines and taxicabs within the county or city.

2. An ordinance adopted pursuant to subsection 1 must, without limitation:

(a) Ensure that limousines and taxicabs provide for public safety and are fit, willing and able to serve the needs of the residents of the county or city;

(b) Ensure that limousines and taxicabs provide fair and equitable treatment to the residents of the county or city and persons visiting the county or city;

(c) Ensure that the rates and practices of limousines and taxicabs are reasonable, nonpredatory and nondiscriminatory; and

(d) Prohibit unauthorized limousines, taxicabs and other passenger vehicles from operating in the county or city and ensure that all such carriers have proper operating authority.

3. An ordinance adopted pursuant to subsection 1 may, without limitation:



1 (a) Provide fees for the issuance of certificates and licenses,
2 safety inspections and other purposes determined by the board of
3 county commissioners or the city council to be necessary for the
4 proper regulation of the activities of limousines and taxicabs
5 within the county or city; and

6 (b) Provide that violations of the ordinance are punishable as
7 criminal offenses but must not provide for the enforcement of the
8 ordinance through administrative fines.

9 **Sec. 4.** 1. The Department of Public Safety shall adopt
10 regulations providing for the regulation of tow cars in this State,
11 but only with respect to nonconsensual tows. The regulations
12 adopted pursuant to this subsection may, without limitation,
13 provide fees for the issuance of certificates and licenses, safety
14 inspections and other purposes determined by the Department to
15 be necessary for the proper regulation of the activities of tow cars
16 within this State.

17 2. The Department shall adopt regulations establishing
18 minimum insurance requirements for the operators of trucks,
19 charter buses, taxicabs, limousines and tow cars.

20 3. The regulations adopted by the Department pursuant to
21 this section must not provide for the enforcement of the
22 regulations through administrative fines.

23 4. The violation of any regulation adopted by the Department
24 pursuant to this section is punishable as a misdemeanor.

25 **Sec. 5.** 1. The Department of Business and Industry shall
26 adopt regulations to regulate the activities of persons engaging in
27 the transportation of household goods or the storage of household
28 goods in this State.

29 2. The regulations adopted by the Department pursuant to
30 this section must provide for fair, nonpredatory pricing and ensure
31 the safe transportation of household goods.

32 3. The regulations adopted by the Department pursuant to
33 this section may provide fees for the issuance of certificates and
34 licenses, safety inspections and other purposes determined by the
35 Department to be necessary for the proper regulation of the
36 activities of persons engaging in the transportation of household
37 goods or the storage of household goods in this State.

38 4. The regulations adopted by the Department pursuant to
39 this section must not provide for the enforcement of the
40 regulations through administrative fines.

41 5. The violation of any regulation adopted by the Department
42 pursuant to this section is punishable as a misdemeanor.

43 **Sec. 6.** NRS 706.011 is hereby amended to read as follows:

44 706.011 As used in ~~[NRS 706.011 to 706.791, inclusive.]~~ this
45 chapter, unless the context otherwise requires, the words and terms



defined in NRS ~~[706.013 to 706.146,]~~ *706.026 to 706.137*, inclusive, have the meanings ascribed to them in those sections.

Sec. 7. NRS 706.085 is hereby amended to read as follows:

706.085 "Household goods" means personal effects and property used or to be used in a dwelling which are part of the equipment or supply of the dwelling and such other similar property as the ~~[Authority]~~ *Department of Business and Industry* may provide by regulation. The term does not include property moving from a factory or store, except property that the householder has purchased with the intent to use in the householder's dwelling and that is transported at the request of, and the transportation charges paid ~~[to the carrier]~~ by, the householder.

Sec. 8. NRS 706.131 is hereby amended to read as follows:

706.131 "Tow car" means a vehicle which is designed or modified and equipped for and is used exclusively in the business of towing or transporting ~~[disabled vehicles by means of a crane, hoist, tow bar, towline, tilt bed or dolly, or is otherwise exclusively used to render assistance to disabled vehicles or to tow]~~ any vehicle which is being impounded by any law enforcement agency ~~[.]~~ *or* removed from any unauthorized parking area . ~~[or which is otherwise required to be transported by tow car at the request of the owner of the vehicle or any other authorized person.]~~

Sec. 9. NRS 706.361 is hereby amended to read as follows:

706.361 1. A person with a disability is entitled to the full and equal enjoyment of the facilities of any ~~[common motor carrier of passengers, contract motor carrier of passengers or other]~~ entity providing a means of public conveyance and transportation operating within this State.

2. ~~[A common motor carrier of passengers, a contract motor carrier of passengers and other entities]~~ *An entity* providing means of public conveyance and transportation shall designate a person responsible for ensuring that the ~~[carrier]~~ *entity* complies with the applicable provisions of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 to 12213, inclusive, and 47 U.S.C. §§ 225 and 611, and the regulations adopted pursuant to that Act.

3. The person designated pursuant to subsection 2 shall conduct training sessions for the employees of the ~~[carrier or]~~ entity. Each employee must be provided at least 3 hours of training during one or more training sessions. During the training sessions, the designee shall:

(a) Describe the ~~[carrier's]~~ *plan of the entity* for compliance with the Americans with Disabilities Act of 1990 and the regulations adopted pursuant to that Act;

(b) Explain the obligations of the employees to assist a person with a disability to store a mobility device;



(c) Explain the illegality of charging an additional fee or a higher fare to a person with a disability; and

(d) Ensure that each employee is trained in accordance with the requirements of 49 C.F.R. § 37.173.

4. It is unlawful for any person to deny any of the privileges granted by subsection 1.

5. It is unlawful for any ~~[common motor carrier, contract motor carrier or other]~~ entity providing a means of public conveyance or transportation operating within this State, to:

(a) Deny the equal enjoyment of its services and facilities to a person with a disability by the arbitrary, capricious or unreasonable interference, direct or indirect, with the use of aids and appliances used by a person with a disability;

(b) Fail to designate a person pursuant to subsection 2; or

(c) Fail to conduct the training sessions in the manner described in subsection 3.

6. As used in this section, "disability" has the meaning ascribed to it in 49 C.F.R. § 37.3.

Sec. 10. NRS 706.366 is hereby amended to read as follows:

706.366 1. It is unlawful for ~~[a common motor carrier of passengers or other]~~ *an entity providing a* means of public conveyance or transportation operating in this State to:

(a) Refuse service to a person with a disability because the person is accompanied by a service animal;

(b) Refuse service to a person who is training a service animal because the person is accompanied by the service animal in training; or

(c) Charge an additional fee or a deposit for a service animal or service animal in training.

2. This section does not relieve a person with a disability who is accompanied by a service animal or a person who trains a service animal from liability for damage which may be caused by the service animal or service animal in training.

3. Persons with disabilities accompanied by service animals on ~~[common motor carriers of passengers or other]~~ *any* means of public conveyance or transportation operating in this State are subject to the same conditions and limitations that apply to persons without disabilities who are not so accompanied.

4. ~~[A common motor carrier of passengers or other]~~ *An entity providing a* means of public conveyance or transportation operating in this State that violates any of the provisions of subsection 1 is civilly liable to the person against whom the violation was committed for:

(a) Actual damages;



(b) Such punitive damages as may be determined by a jury, or by a court sitting without a jury, which must not be more than three times the amount of actual damages, except that in no case may the punitive damages be less than \$750; and

(c) Reasonable attorney's fees as determined by the court.

5. The remedies provided in this section are nonexclusive and are in addition to any other remedy provided by law, including, without limitation, any action for injunctive or other equitable relief available to the aggrieved person or brought in the name of the people of this State or the United States.

6. As used in this section:

(a) "Service animal" has the meaning ascribed to it in NRS 426.097.

(b) "Service animal in training" has the meaning ascribed to it in NRS 426.099.

Sec. 11. NRS 707.355 is hereby amended to read as follows:

707.355 1. Each provider of telephone service in this State shall, when notified that ~~it~~:

~~—(a) A court has ordered the disconnection of a telephone number pursuant to NRS 706.2855; or~~

~~—(b) The~~ *the* Public Utilities Commission of Nevada has ordered the disconnection of a telephone number pursuant to NRS 703.175, after receiving a request to disconnect the telephone number from the State Contractors' Board pursuant to NRS 624.720 ~~it~~ *or* the Board of Massage Therapists pursuant to NRS 640C.930, ~~for the Nevada Transportation Authority pursuant to NRS 706.758,~~

~~it~~ take such action as is necessary to carry out the order of ~~the court or~~ *the* Public Utilities Commission of Nevada.

2. A provider of telephone service shall not:

(a) Forward or offer to forward the telephone calls of a telephone number disconnected from service pursuant to the provisions of this section; or

(b) Provide or offer to provide a recorded message that includes the new telephone number for a business whose telephone number was disconnected from service pursuant to the provisions of this section.

3. As used in this section, "provider of telephone service" includes, but is not limited to:

(a) A public utility furnishing telephone service.

(b) A provider of cellular or other service to a telephone that is installed in a vehicle or is otherwise portable.

Sec. 12. NRS 31.060 is hereby amended to read as follows:

31.060 Subject to the requirements of NRS 31.045, the sheriff to whom the writ is directed and delivered shall execute it without



1 delay, and if the undertaking mentioned in NRS 31.040 is not given,
2 as follows:

3 1. Real property must be attached by leaving a copy of the writ
4 with the occupant of the property or, if there is no occupant, by
5 posting a copy in a conspicuous place on the property and recording
6 the writ, together with a description of the property attached, with
7 the recorder of the county.

8 2. Personal property must be attached:

9 (a) By taking it into immediate custody, and, if directed by the
10 plaintiff, using the services of any company which operates a tow
11 car, as defined in NRS 706.131, or ~~common motor carrier, as~~
12 ~~defined in NRS 706.036,~~ *an entity that provides transportation*
13 *services in this State* to transport it for storage in a warehouse or
14 storage yard that is insured or bonded in an amount not less than the
15 full value of the property; or

16 (b) By placing a keeper in charge of a going business where the
17 property is located, with the plaintiff prepaying the expense of the
18 keeper to the sheriff, during which period, the defendant, by order of
19 the court or the consent of the plaintiff, may continue to operate in
20 the ordinary course of business at the defendant's own expense if all
21 sales are for cash and the full proceeds are paid to the keeper for the
22 purpose of the attachment.

23 ➤ If the property is stored pursuant to paragraph (a), the property
24 must be segregated from other property and marked by signs or
25 other appropriate means indicating that it is in the custody of the
26 sheriff.

27 3. Any mobile home, as defined in NRS 40.215, must be
28 attached by:

29 (a) Posting a copy of the writ in a conspicuous place on the
30 mobile home;

31 (b) Taking it into immediate custody, subject to the provisions
32 of subsection 2; or

33 (c) Placing a keeper in charge of the mobile home for 2 days,
34 with the plaintiff prepaying the expense of the keeper to the sheriff:

35 (1) During which period, the defendant may continue to
36 occupy the mobile home; and

37 (2) After which period, the sheriff shall take the mobile home
38 into the sheriff's immediate custody, subject to the provisions of
39 subsection 2, unless other disposition is made by the court or the
40 parties to the action.

41 4. Debts and credits, due or to become due, and other personal
42 property in the possession or under the control of persons other than
43 the defendant must be attached by service of a writ of garnishment
44 as provided in NRS 31.240 to 31.460, inclusive.



* S B 3 1 2 *

Sec. 13. NRS 62A.220 is hereby amended to read as follows:

62A.220 “Minor traffic offense” means a violation of any state or local law or ordinance governing the operation of a motor vehicle upon any highway within this State other than:

1. A violation of chapters 484A to 484E, inclusive, ~~for 706~~ of NRS that causes the death of a person;

2. A violation of NRS 484C.110 or 484C.120; or

3. A violation declared to be a felony.

Sec. 14. NRS 62A.300 is hereby amended to read as follows:

62A.300 “School bus” includes every motor vehicle owned by or under the control of a public or governmental agency or a private school and regularly operated for the transportation of children to or from school or a school activity or privately owned and regularly operated for compensation for the transportation of children to or from school or a school activity. The term does not include a passenger car operated under a contract to transport children to and from school, a common carrier or commercial vehicle under the jurisdiction of the Surface Transportation Board ~~for the Nevada Transportation Authority~~ when such a vehicle is operated in the regular conduct of its business in interstate or intrastate commerce within the State of Nevada.

Sec. 15. NRS 200.471 is hereby amended to read as follows:

200.471 1. As used in this section:

(a) “Assault” means:

(1) Unlawfully attempting to use physical force against another person; or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) “Officer” means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A justice of the Supreme Court, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph; or

(6) An employee of the State or a political subdivision of the State whose official duties require the employee to make home visits.

(c) “Provider of health care” means a physician, a perfusionist or a physician assistant licensed pursuant to chapter 630 of NRS, a



* S B 3 1 2 *

1 practitioner of respiratory care, a homeopathic physician, an
2 advanced practitioner of homeopathy, a homeopathic assistant, an
3 osteopathic physician, a physician assistant licensed pursuant to
4 chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a
5 physical therapist, a medical laboratory technician, an optometrist, a
6 chiropractor, a chiropractor's assistant, a doctor of Oriental
7 medicine, a nurse, a student nurse, a certified nursing assistant, a
8 nursing assistant trainee, a dentist, a dental hygienist, a pharmacist,
9 an intern pharmacist, an attendant on an ambulance or air
10 ambulance, a psychologist, a social worker, a marriage and family
11 therapist, a marriage and family therapist intern, a clinical
12 professional counselor, a clinical professional counselor intern and
13 an emergency medical technician.

14 (d) "School employee" means a licensed or unlicensed person
15 employed by a board of trustees of a school district pursuant to
16 NRS 391.100.

17 (e) "Sporting event" has the meaning ascribed to it in
18 NRS 41.630.

19 (f) "Sports official" has the meaning ascribed to it in
20 NRS 41.630.

21 (g) "Taxicab" has the meaning ascribed to it in NRS ~~706.8816.~~
22 **706.124.**

23 (h) "Taxicab driver" means a person who operates a taxicab.

24 (i) "Transit operator" means a person who operates a bus or
25 other vehicle as part of a public mass transportation system.

26 2. A person convicted of an assault shall be punished:

27 (a) If paragraph (c) or (d) does not apply to the circumstances of
28 the crime and the assault is not made with the use of a deadly
29 weapon or the present ability to use a deadly weapon, for a
30 misdemeanor.

31 (b) If the assault is made with the use of a deadly weapon or the
32 present ability to use a deadly weapon, for a category B felony by
33 imprisonment in the state prison for a minimum term of not less
34 than 1 year and a maximum term of not more than 6 years, or by a
35 fine of not more than \$5,000, or by both fine and imprisonment.

36 (c) If paragraph (d) does not apply to the circumstances of the
37 crime and if the assault is committed upon an officer, a provider of
38 health care, a school employee, a taxicab driver or a transit operator
39 who is performing his or her duty or upon a sports official based on
40 the performance of his or her duties at a sporting event and the
41 person charged knew or should have known that the victim was an
42 officer, a provider of health care, a school employee, a taxicab
43 driver, a transit operator or a sports official, for a gross
44 misdemeanor, unless the assault is made with the use of a deadly
45 weapon or the present ability to use a deadly weapon, then for a



1 category B felony by imprisonment in the state prison for a
2 minimum term of not less than 1 year and a maximum term of not
3 more than 6 years, or by a fine of not more than \$5,000, or by both
4 fine and imprisonment.

5 (d) If the assault is committed upon an officer, a provider of
6 health care, a school employee, a taxicab driver or a transit operator
7 who is performing his or her duty or upon a sports official based on
8 the performance of his or her duties at a sporting event by a
9 probationer, a prisoner who is in lawful custody or confinement or a
10 parolee, and the probationer, prisoner or parolee charged knew or
11 should have known that the victim was an officer, a provider of
12 health care, a school employee, a taxicab driver, a transit operator or
13 a sports official, for a category D felony as provided in NRS
14 193.130, unless the assault is made with the use of a deadly weapon
15 or the present ability to use a deadly weapon, then for a category B
16 felony by imprisonment in the state prison for a minimum term of
17 not less than 1 year and a maximum term of not more than 6 years,
18 or by a fine of not more than \$5,000, or by both fine and
19 imprisonment.

20 **Sec. 16.** NRS 200.481 is hereby amended to read as follows:

21 200.481 1. As used in this section:

22 (a) "Battery" means any willful and unlawful use of force or
23 violence upon the person of another.

24 (b) "Child" means a person less than 18 years of age.

25 (c) "Officer" means:

26 (1) A person who possesses some or all of the powers of a
27 peace officer;

28 (2) A person employed in a full-time salaried occupation of
29 fire fighting for the benefit or safety of the public;

30 (3) A member of a volunteer fire department;

31 (4) A jailer, guard, matron or other correctional officer of a
32 city or county jail or detention facility;

33 (5) A justice of the Supreme Court, district judge, justice of
34 the peace, municipal judge, magistrate, court commissioner, master
35 or referee, including, without limitation, a person acting pro tempore
36 in a capacity listed in this subparagraph; or

37 (6) An employee of the State or a political subdivision of the
38 State whose official duties require the employee to make home
39 visits.

40 (d) "Provider of health care" has the meaning ascribed to it in
41 NRS 200.471.

42 (e) "School employee" means a licensed or unlicensed person
43 employed by a board of trustees of a school district pursuant to
44 NRS 391.100.



(f) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(g) "Sports official" has the meaning ascribed to it in NRS 41.630.

(h) "Strangulation" means intentionally impeding the normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person in a manner that creates a risk of death or substantial bodily harm.

(i) "Taxicab" has the meaning ascribed to it in NRS ~~[706.8816.]~~ 706.124.

(j) "Taxicab driver" means a person who operates a taxicab.

(k) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. Except as otherwise provided in NRS 200.485, a person convicted of a battery, other than a battery committed by an adult upon a child which constitutes child abuse, shall be punished:

(a) If the battery is not committed with a deadly weapon, and no substantial bodily harm to the victim results, except under circumstances where a greater penalty is provided in this section or NRS 197.090, for a misdemeanor.

(b) If the battery is not committed with a deadly weapon, and either substantial bodily harm to the victim results or the battery is committed by strangulation, for a category C felony as provided in NRS 193.130.

(c) If:

(1) The battery is committed upon an officer, provider of health care, school employee, taxicab driver or transit operator who was performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event;

(2) The officer, provider of health care, school employee, taxicab driver, transit operator or sports official suffers substantial bodily harm or the battery is committed by strangulation; and

(3) The person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit operator or sports official,

➤ for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.

(d) If the battery is committed upon an officer, provider of health care, school employee, taxicab driver or transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit



* S B 3 1 2 *

operator or sports official, for a gross misdemeanor, except under circumstances where a greater penalty is provided in this section.

(e) If the battery is committed with the use of a deadly weapon, and:

(1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

(2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000.

(f) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, without the use of a deadly weapon, whether or not substantial bodily harm results and whether or not the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

(g) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, with the use of a deadly weapon, and:

(1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years.

(2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years.

Sec. 17. NRS 232.510 is hereby amended to read as follows:

232.510 1. The Department of Business and Industry is hereby created.

2. The Department consists of a Director and the following:

- (a) Consumer Affairs Division.
- (b) Division of Financial Institutions.
- (c) Housing Division.
- (d) Manufactured Housing Division.
- (e) Real Estate Division.
- (f) Division of Insurance.
- (g) Division of Industrial Relations.
- (h) Office of Labor Commissioner.
- (i) ~~Taxicab Authority.~~



* S B 3 1 2 *

1 ~~—(j)~~ Nevada Athletic Commission.

2 ~~[(k)]~~ (j) Office of the Nevada Attorney for Injured Workers.

3 ~~[(l)] Nevada Transportation Authority.~~

4 ~~—(m)]~~ (k) Division of Mortgage Lending.

5 ~~[(n)]~~ (l) Any other office, commission, board, agency or entity
6 created or placed within the Department pursuant to a specific
7 statute, the budget approved by the Legislature or an executive
8 order, or an entity whose budget or activities have been placed
9 within the control of the Department by a specific statute.

10 **Sec. 18.** NRS 232.520 is hereby amended to read as follows:

11 232.520 The Director:

12 1. Shall appoint a chief or executive director, or both of them,
13 of each of the divisions, offices, commissions, boards, agencies or
14 other entities of the Department, unless the authority to appoint such
15 a chief or executive director, or both of them, is expressly vested in
16 another person, board or commission by a specific statute. In
17 making the appointments, the Director may obtain lists of qualified
18 persons from professional organizations, associations or other
19 groups recognized by the Department, if any. The chief of the
20 Consumer Affairs Division is the Commissioner of Consumer
21 Affairs, the chief of the Division of Financial Institutions is the
22 Commissioner of Financial Institutions, the chief of the Housing
23 Division is the Administrator of the Housing Division, the chief of
24 the Manufactured Housing Division is the Administrator of the
25 Manufactured Housing Division, the chief of the Real Estate
26 Division is the Real Estate Administrator, the chief of the Division
27 of Insurance is the Commissioner of Insurance, the chief of the
28 Division of Industrial Relations is the Administrator of the Division
29 of Industrial Relations, the chief of the Office of Labor
30 Commissioner is the Labor Commissioner, ~~[(the chief of the Taxicab~~
31 ~~Authority is the Taxicab Administrator, the chief of the Nevada~~
32 ~~Transportation Authority is the Chair of the Authority,]~~ the chief of
33 the Division of Mortgage Lending is the Commissioner of Mortgage
34 Lending and the chief of any other entity of the Department has the
35 title specified by the Director, unless a different title is specified by
36 a specific statute.

37 2. Is responsible for the administration of all provisions of law
38 relating to the jurisdiction, duties and functions of all divisions and
39 other entities within the Department. The Director may, if he or she
40 deems it necessary to carry out his or her administrative
41 responsibilities, be considered as a member of the staff of any
42 division or other entity of the Department for the purpose of budget
43 administration or for carrying out any duty or exercising any power
44 necessary to fulfill the responsibilities of the Director pursuant to
45 this subsection. This subsection does not allow the Director to



* S B 3 1 2 *

1 preempt any authority or jurisdiction granted by statute to any
2 division or other entity within the Department or to act or take on a
3 function that would contravene a rule of court or a statute.

4 3. May:

5 (a) Establish uniform policies for the Department, consistent
6 with the policies and statutory responsibilities and duties of the
7 divisions and other entities within the Department, relating to
8 matters concerning budgeting, accounting, planning, program
9 development, personnel, information services, dispute resolution,
10 travel, workplace safety, the acceptance of gifts or donations, the
11 management of records and any other subject for which a uniform
12 departmental policy is necessary to ensure the efficient operation of
13 the Department.

14 (b) Provide coordination among the divisions and other entities
15 within the Department, in a manner which does not encroach upon
16 their statutory powers and duties, as they adopt and enforce
17 regulations, execute agreements, purchase goods, services or
18 equipment, prepare legislative requests and lease or use office space.

19 (c) Define the responsibilities of any person designated to carry
20 out the duties of the Director relating to financing, industrial
21 development or business support services.

22 4. May, within the limits of the financial resources made
23 available to the Director, promote, participate in the operation of,
24 and create or cause to be created, any nonprofit corporation,
25 pursuant to chapter 82 of NRS, which he or she determines is
26 necessary or convenient for the exercise of the powers and duties of
27 the Department. The purposes, powers and operation of the
28 corporation must be consistent with the purposes, powers and duties
29 of the Department.

30 5. For any bonds which the Director is otherwise authorized to
31 issue, may issue bonds the interest on which is not exempt from
32 federal income tax or excluded from gross revenue for the purposes
33 of federal income tax.

34 6. May, except as otherwise provided by specific statute, adopt
35 by regulation a schedule of fees and deposits to be charged in
36 connection with the programs administered by the Director pursuant
37 to chapters 348A and 349 of NRS. Except as otherwise provided by
38 specific statute, the amount of any such fee or deposit must not
39 exceed 2 percent of the principal amount of the financing.

40 7. May designate any person within the Department to perform
41 any of the duties or responsibilities, or exercise any of the authority,
42 of the Director on his or her behalf.

43 8. May negotiate and execute agreements with public or private
44 entities which are necessary to the exercise of the powers and duties
45 of the Director or the Department.



* S B 3 1 2 *

9. May establish a trust account in the State Treasury for depositing and accounting for money that is held in escrow or is on deposit with the Department for the payment of any direct expenses incurred by the Director in connection with any bond programs administered by the Director. The interest and income earned on money in the trust account, less any amount deducted to pay for applicable charges, must be credited to the trust account. Any balance remaining in the account at the end of a fiscal year may be:

(a) Carried forward to the next fiscal year for use in covering the expense for which it was originally received; or

(b) Returned to any person entitled thereto in accordance with agreements or regulations of the Director relating to those bond programs.

Sec. 19. NRS 277A.280 is hereby amended to read as follows:

277A.280 1. A commission, a county whose population is less than 100,000 or a city within such a county may establish or operate a public transit system consisting of:

(a) Regular routes and fixed schedules to serve the public;

(b) Nonemergency medical transportation of persons to facilitate their participation in jobs and day training services as defined in NRS 435.176, if the transportation is available upon request and without regard to regular routes or fixed schedules;

(c) Nonmedical transportation of persons with disabilities without regard to regular routes or fixed schedules; or

(d) In a county whose population is less than 100,000 or a city within such a county, nonmedical transportation of persons if the transportation is available by reservation 1 day in advance of the transportation and without regard to regular routes or fixed schedules.

2. A commission may lease vehicles to or from or enter into other contracts with a private operator for the provision of such a system.

3. In a county whose population is less than 400,000, such a system may also provide service which includes:

(a) Minor deviations from the regular routes and fixed schedules required by paragraph (a) of subsection 1 on a recurring basis to serve the public transportation needs of passengers. The deviations must not exceed one-half mile from the regular routes.

(b) The transporting of persons other than those specified in paragraph (b), (c) or (d) of subsection 1 upon request without regard to regular routes or fixed schedules .

~~[, if the service is provided by a common motor carrier which has a certificate of public convenience and necessity issued by the Nevada Transportation Authority pursuant to NRS 706.386 to 706.411, inclusive, and the service is~~



~~subject to the rules and regulations adopted by the Nevada Transportation Authority for a fully regulated carrier.]~~

4. Notwithstanding the provisions of chapter 332 of NRS or NRS 625.530, a commission may utilize a turnkey procurement process to select a person to design, build, operate and maintain, or any combination thereof, a fixed guideway system, including, without limitation, any minimum operable segment thereof. The commission shall determine whether to utilize turnkey procurement for a fixed guideway project before the completion of the preliminary engineering phase of the project. In making that determination, the commission shall evaluate whether turnkey procurement is the most cost-effective method of constructing the project on schedule and in satisfaction of its transportation objectives.

5. Notwithstanding the provisions of chapter 332 of NRS, a commission may utilize a competitive negotiation procurement process to procure rolling stock for a fixed guideway project, rolling stock for a public transit system, facilities and any other equipment that is related to public transportation. The award of a contract under such a process must be made to the person whose proposal is determined to be the most advantageous to the commission, based on price and other factors specified in the procurement documents.

6. If a commission develops a fixed guideway project, the Department of Transportation is hereby designated to serve as the oversight agency to ensure compliance with the federal safety regulations for rail fixed guideway systems set forth in 49 C.F.R. Part 659.

7. As used in this section:

(a) ~~["Fully regulated carrier" means a common carrier or contract carrier of passengers or household goods who is required to obtain from the Nevada Transportation Authority a certificate of public convenience and necessity or a contract carrier's permit and whose rates, routes and services are subject to regulation by the Nevada Transportation Authority.~~

~~(b)}~~ "Minimum operable segment" means the shortest portion of a fixed guideway system that is technically capable of providing viable public transportation between two end points.

~~(c)}~~ (b) "Turnkey procurement" means a competitive procurement process by which a person is selected by a commission, based on evaluation criteria established by the commission, to design, build, operate and maintain, or any combination thereof, a fixed guideway system, or a portion thereof, in accordance with performance criteria and technical specifications established by the commission.



Sec. 20. NRS 289.470 is hereby amended to read as follows:
289.470 "Category II peace officer" means:

1. The Bailiff of the Supreme Court;
2. The bailiffs of the district courts, justice courts and municipal courts whose duties require them to carry weapons and make arrests;

3. Constables and their deputies whose official duties require them to carry weapons and make arrests;

~~4. **[Inspectors employed by the Nevada Transportation Authority who exercise those powers of enforcement conferred by chapters 706 and 712 of NRS;**~~

~~—5.]~~ Parole and probation officers;

~~[6.]~~ **5.** Special investigators who are employed full-time by the office of any district attorney or the Attorney General;

~~[7.]~~ **6.** Investigators of arson for fire departments who are specially designated by the appointing authority;

~~[8.]~~ **7.** The assistant and deputies of the State Fire Marshal;

~~[9.]~~ **8.** The brand inspectors of the State Department of Agriculture who exercise the powers of enforcement conferred by chapter 565 of NRS;

~~[10.]~~ **9.** The field agents and inspectors of the State Department of Agriculture who exercise the powers of enforcement conferred by NRS 561.225;

~~[11.]~~ **10.** Investigators for the State Forester Firewarden who are specially designated by the State Forester Firewarden and whose primary duties are related to the investigation of arson;

~~[12.]~~ **11.** School police officers employed by the board of trustees of any county school district;

~~[13.]~~ **12.** Agents of the State Gaming Control Board who exercise the powers of enforcement specified in NRS 289.360, 463.140 or 463.1405, except those agents whose duties relate primarily to auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;

~~[14.]~~ **13.** Investigators and administrators of the Division of Compliance Enforcement of the Department of Motor Vehicles who perform the duties specified in subsection 2 of NRS 481.048;

~~[15.]~~ **14.** Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles who perform the duties specified in subsection 3 of NRS 481.0481;

~~[16.]~~ **15.** Legislative police officers of the State of Nevada;

~~[17.]~~ **16.** The personnel of the Capitol Police Division of the Department of Public Safety appointed pursuant to subsection 2 of NRS 331.140;



~~[18.]~~ 17. Parole counselors of the Division of Child and Family Services of the Department of Health and Human Services;

~~[19.]~~ 18. Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in the State of Nevada or by a department of juvenile justice services established by ordinance pursuant to NRS 62G.210 whose official duties require them to enforce court orders on juvenile offenders and make arrests;

~~[20.] Field investigators of the Taxicab Authority;~~

~~[21.]~~ 19. Security officers employed full-time by a city or county whose official duties require them to carry weapons and make arrests;

~~[22.]~~ 20. The chief of a department of alternative sentencing created pursuant to NRS 211A.080 and the assistant alternative sentencing officers employed by that department;

~~[23.]~~ 21. Criminal investigators who are employed by the Secretary of State; and

~~[24.]~~ 22. The Inspector General of the Department of Corrections and any person employed by the Department as a criminal investigator.

Sec. 21. NRS 289.480 is hereby amended to read as follows:

289.480 "Category III peace officer" means a peace officer whose authority is limited to correctional services, including the superintendents and correctional officers of the Department of Corrections. The term does not include a person described in subsection ~~[24.]~~ 22 of NRS 289.470.

Sec. 22. NRS 362.120 is hereby amended to read as follows:

362.120 1. The Department shall, from the statement filed pursuant to NRS 362.110 and from all obtainable data, evidence and reports, compute in dollars and cents the gross yield and net proceeds of the calendar year immediately preceding the year in which the statement is filed.

2. The gross yield must include the value of any mineral extracted which was:

- (a) Sold;
- (b) Exchanged for any thing or service;
- (c) Removed from the State in a form ready for use or sale; or
- (d) Used in a manufacturing process or in providing a service, during that period.

3. The net proceeds are ascertained and determined by subtracting from the gross yield the following deductions for costs incurred during that period, and none other:

(a) The actual cost of extracting the mineral.

(b) The actual cost of transporting the mineral to the place or places of reduction, refining and sale.



* S B 3 1 2 *

(c) The actual cost of reduction, refining and sale.

(d) The actual cost of marketing and delivering the mineral and the conversion of the mineral into money.

(e) The actual cost of maintenance and repairs of:

(1) All machinery, equipment, apparatus and facilities used in the mine.

(2) All milling, refining, smelting and reduction works, plants and facilities.

(3) All facilities and equipment for transportation except those that are under the jurisdiction of the Public Utilities Commission of Nevada. ~~for the Nevada Transportation Authority.]~~

(f) The actual cost of fire insurance on the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e).

(g) Depreciation of the original capitalized cost of the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e). The annual depreciation charge consists of amortization of the original cost in a manner prescribed by regulation of the Nevada Tax Commission. The probable life of the property represented by the original cost must be considered in computing the depreciation charge.

(h) All money expended for premiums for industrial insurance, and the actual cost of hospital and medical attention and accident benefits and group insurance for all employees.

(i) All money paid as contributions or payments under the unemployment compensation law of the State of Nevada, as contained in chapter 612 of NRS, all money paid as contributions under the Social Security Act of the Federal Government, and all money paid to either the State of Nevada or the Federal Government under any amendment to either or both of the statutes mentioned in this paragraph.

(j) The actual cost of developmental work in or about the mine or upon a group of mines when operated as a unit.

(k) All money paid as royalties by a lessee or sublessee of a mine or well, or by both, in determining the net proceeds of the lessee or sublessee, or both.

4. Royalties deducted by a lessee or sublessee constitute part of the net proceeds of the minerals extracted, upon which a tax must be levied against the person to whom the royalty has been paid.

5. Every person acquiring property in the State of Nevada to engage in the extraction of minerals and who incurs any of the expenses mentioned in subsection 3 shall report those expenses and the recipient of any royalty to the Department on forms provided by the Department.



* S B 3 1 2 *

6. The several deductions mentioned in subsection 3 do not include any expenditures for salaries, or any portion of salaries, of any person not actually engaged in:

- (a) The working of the mine;
 - (b) The operating of the mill, smelter or reduction works;
 - (c) The operating of the facilities or equipment for transportation;
 - (d) Superintending the management of any of those operations;
- or

(e) The State of Nevada, in office, clerical or engineering work necessary or proper in connection with any of those operations.

Sec. 23. NRS 366.650 is hereby amended to read as follows:

366.650 1. If illegally or through error the Department collects or receives any excise tax, penalty or interest imposed pursuant to this chapter, the excise tax, penalty or interest must be refunded to the person who paid the tax, penalty or interest. A written application for a refund, including, without limitation, a request for a refund that is submitted on an amended tax return, stating the specific grounds therefor, must be made within 12 months after the date of payment, whether or not the excise tax, penalty or interest was paid voluntarily or under protest.

2. Refunds must be made to a successor, assignee, estate or heir of the person if written application is made within the time limit.

3. Any amount determined to be refundable by the Department must be refunded or credited to any amounts then due from the special fuel supplier or special fuel dealer.

4. All amounts refunded pursuant to the provisions of this chapter must be paid from the State Highway Fund on claims presented by the Department, approved by the State Board of Examiners, and allowed and paid as other claims against the State are allowed and paid.

5. A licensed special fuel user operating interstate or off road, or both, who can prove to the satisfaction of the Department that his or her special fuel purchases in Nevada exceed his or her use of the special fuel over the highways of this State for a certain quarter must apply credit to any excise taxes, penalties or interest required by this chapter or fees, taxes, penalties or interest applicable pursuant to chapter 371 ~~[, 482 or 706]~~ or 482 of NRS and any balance may be refunded or credited to succeeding reports.

6. A person who wishes to apply for a refund of the tax on special fuel paid by the person pursuant to subsection 5 of NRS 366.207 must:

- (a) Submit an application for the refund on a form prescribed by the Department; and



* S B 3 1 2 *

(b) Establish to the satisfaction of the Department that within a period of 6 months the person purchased not less than 200 gallons of special fuel in this State which was used for a purpose that is exempt from the tax on special fuel pursuant to NRS 366.200.

➤ The Department shall refund to an applicant who complies with the provisions of this subsection a refund in an amount equal to the tax paid by the applicant less the percentage allowed the special fuel supplier pursuant to NRS 366.390.

7. To establish the validity of any claim for a refund, the Department may, upon demand, examine the books and records of the claimant. The failure of the claimant to accede to such a demand constitutes a waiver of all rights to the refund claimed on account of the transactions questioned.

8. No refund of special fuel taxes may be made for off-highway use of special fuel consumed in watercraft in this State for recreational purposes.

Sec. 24. NRS 371.020 is hereby amended to read as follows:

371.020 As used in this chapter, unless the context otherwise requires:

1. "Department" means the Department of Motor Vehicles.

2. "Vehicle" means any vehicle required to be registered pursuant to the provisions of chapter 482 ~~for 706~~ of NRS, except mobile homes as defined in NRS 482.067.

Sec. 25. NRS 372.281 is hereby amended to read as follows:

372.281 1. There are exempted from the taxes imposed by this Act the gross receipts from the sale, storage, use or other consumption in a county of farm machinery and equipment.

2. As used in this section:

(a) "Farm machinery and equipment" means a farm tractor, implement of husbandry, piece of equipment used for irrigation, or a part used in the repair or maintenance of farm machinery and equipment. The term does not include:

(1) A vehicle required to be registered pursuant to the provisions of chapter 482 ~~for 706~~ of NRS; or

(2) Machinery or equipment only incidentally employed for agricultural purposes.

(b) "Farm tractor" means a motor vehicle designed and used primarily for drawing an implement of husbandry.

(c) "Implement of husbandry" means a vehicle that is designed, adapted or used for agricultural purposes, including, without limitation, a plow, machine for mowing, hay baler, combine, piece of equipment used to stack hay, till, harvest, handle agricultural commodities or apply fertilizers, or other heavy, movable equipment designed, adapted or used for agricultural purposes.



Sec. 26. NRS 374.2861 is hereby amended to read as follows:

374.2861 1. There are exempted from the taxes imposed by this chapter the gross receipts from the sale, storage, use or other consumption in a county of farm machinery and equipment.

2. As used in this section:

(a) "Farm machinery and equipment" means a farm tractor, implement of husbandry, piece of equipment used for irrigation, or a part used in the repair or maintenance of farm machinery and equipment. The term does not include:

(1) A vehicle required to be registered pursuant to the provisions of chapter 482 ~~for 706~~ of NRS; or

(2) Machinery or equipment only incidentally employed for agricultural purposes.

(b) "Farm tractor" means a motor vehicle designed and used primarily for drawing an implement of husbandry.

(c) "Implement of husbandry" means a vehicle that is designed, adapted or used for agricultural purposes, including, without limitation, a plow, machine for mowing, hay baler, combine, piece of equipment used to stack hay, till, harvest, handle agricultural commodities or apply fertilizers, or other heavy, movable equipment designed, adapted or used for agricultural purposes.

Sec. 27. NRS 377A.140 is hereby amended to read as follows:

377A.140 1. ~~Except as otherwise provided in subsection 2,~~ **a** A public transit system in a county whose population is 400,000 or more may, in addition to providing local transportation within the county and the services described in NRS 377A.130, provide:

(a) Programs to reduce or manage motor vehicle traffic; and

(b) Any other services for a public transit system which are requested by the general public,

↳ if those additional services are included and described in a long-range plan adopted pursuant to 23 U.S.C. § 134 and 49 U.S.C. § 5303.

2. ~~Before a~~ **A** regional transportation commission may provide for an on-call public transit system in an area of the county ~~other than~~ **, including, without limitation,** an on-call public transit system that provides the nonemergency medical transportation described in NRS 377A.130. ~~the commission must receive a determination from the Nevada Transportation Authority that:~~

~~—(a) There are no common motor carriers of passengers who are authorized to provide on-call operations for transporting passengers in that area; or~~

~~—(b) Although there are common motor carriers of passengers who are authorized to provide on-call operations for transporting passengers in the area, the common motor carriers of passengers do~~



~~not wish to provide, or are not capable of providing, those operations.]~~

3. As used in this section ~~[-~~

~~—(a) “Common motor carrier of passengers” has the meaning ascribed to it in NRS 706.041.~~

~~—(b) “On-call”~~, *“on-call”* public transit system” means a system established to transport passengers only upon the request of a person who needs transportation.

Sec. 28. NRS 392.330 is hereby amended to read as follows:

392.330 1. In addition to the purposes authorized by NRS 392.320, a board of trustees may use transportation funds of the school district for:

(a) Arranging and paying for transportation, in accordance with subsection 2, by motor vehicles or otherwise, by contract or such other arrangement as the board of trustees finds most economical, expedient and feasible and for the best interests of the school district.

(b) Purchasing tickets at reduced rates for the transportation of pupils, including, without limitation, homeless pupils, on public buses for use by pupils enrolled in middle school, junior high school and high school to travel to and from school.

2. Transportation may be arranged and contracted for by a board of trustees with:

(a) Any railroad company holding a certificate of public convenience and necessity issued by the Public Utilities Commission of Nevada or *any* bus company . ~~[or other licensed common carrier holding a certificate of public convenience and necessity issued by the Nevada Transportation Authority.]~~

(b) The owners and operators of private automobiles or other private motor vehicles, including parents of pupils who attend school and are entitled to transportation. When required by the board of trustees, every such private automobile or other private motor vehicle regularly transporting pupils must be insured in the amount required by regulation of the State Board against the loss and damage described in subsection 2 of NRS 392.320.

Sec. 29. NRS 422.2705 is hereby amended to read as follows:

422.2705 1. The Department shall, to the extent authorized by federal law, contract with ~~[a common motor carrier, a contract motor carrier or a broker]~~ *an entity that provides transportation services in this State* for the provision of transportation services to recipients of Medicaid or recipients of services pursuant to the Children’s Health Insurance Program traveling to and returning from providers of services under the State Plan for Medicaid or the Children’s Health Insurance Program.



* S B 3 1 2 *

2. The Director may adopt regulations concerning the qualifications of persons who may contract with the Department to provide transportation services pursuant to this section.

3. The Director shall:

(a) Require each ~~{motor-carrier}~~ *entity that provides transportation services in this State* that has contracted with the Department to provide transportation services pursuant to this section to submit proof to the Department of a liability insurance policy, certificate of insurance or surety which is ~~{substantially equivalent in form to and is}~~ in the same amount or in a greater amount than the policy, certificate or surety required by the Department of ~~{Motor-Vehicles}~~ *Public Safety* pursuant to ~~{NRS 706.291 for a similarly situated motor-carrier;}~~ *section 4 of this act;* and

(b) Establish a program ~~{, with the assistance of the Nevada Transportation Authority of the Department of Business and Industry,}~~ to inspect the vehicles which are used to provide transportation services pursuant to this section to ensure that the vehicles and their operation are safe.

~~{4. As used in this section:~~

~~—(a) “Broker” has the meaning ascribed to it in NRS 706.021.~~

~~—(b) “Common motor carrier” has the meaning ascribed to it in NRS 706.036.~~

~~—(c) “Contract motor carrier” has the meaning ascribed to it in NRS 706.051.}~~

Sec. 30. NRS 427A.070 is hereby amended to read as follows:

427A.070 1. The Administrator shall:

(a) Subject to the approval of the Director, adopt rules and regulations ~~{:~~

~~—(1) Necessary}~~ *necessary* to carry out the purposes of this chapter; ~~{and~~

~~—(2) Establishing a program to subsidize the transportation by taxicab of elderly persons and persons with permanent disabilities from money received pursuant to subsection 5 of NRS 706.8825;}~~

(b) Establish appropriate administrative units within the Division;

(c) Appoint such personnel and prescribe their duties as the Administrator deems necessary for the proper and efficient performance of the functions of the Division;

(d) Prepare and submit to the Governor, through the Director before September 1 of each even-numbered year for the biennium ending June 30 of such year, reports of activities and expenditures and estimates of sums required to carry out the purposes of this chapter;



(e) Make certification for disbursement of funds available for carrying out the purposes of this chapter; and

(f) Take such other action as may be necessary or appropriate for cooperation with public and private agencies and otherwise to carry out the purposes of this chapter.

2. The Administrator may delegate to any officer or employee of the Division such of the powers and duties of the Administrator as the Administrator finds necessary to carry out the purposes of this chapter.

Sec. 31. NRS 433A.160 is hereby amended to read as follows:

433A.160 1. Except as otherwise provided in subsection 2, an application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment may only be made by an accredited agent of the Department, an officer authorized to make arrests in the State of Nevada or a physician, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse. The agent, officer, physician, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse may:

(a) Without a warrant:

(1) Take a person alleged to be a person with mental illness into custody to apply for the emergency admission of the person for evaluation, observation and treatment; and

(2) Transport the person alleged to be a person with mental illness to a public or private mental health facility or hospital for that purpose, or arrange for the person to be transported by:

(I) A local law enforcement agency;

(II) A system for the nonemergency medical transportation of persons ~~[whose operation is authorized by the Nevada Transportation Authority;~~

~~(III) An entity that is exempt pursuant to NRS 706.745 from the provisions of NRS 706.386 or 706.421; or~~

~~(IV)] ; or~~

(III) If medically necessary, an ambulance service that holds a permit issued pursuant to the provisions of chapter 450B of NRS,

only if the agent, officer, physician, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse has, based upon his or her personal observation of the person alleged to be a person with mental illness, probable cause to believe that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty.

(b) Apply to a district court for an order requiring:



* S B 3 1 2 *

(1) Any peace officer to take a person alleged to be a person with mental illness into custody to allow the applicant for the order to apply for the emergency admission of the person for evaluation, observation and treatment; and

(2) Any agency, system or service described in subparagraph (2) of paragraph (a) to transport the person alleged to be a person with mental illness to a public or private mental health facility or hospital for that purpose.

➔ The district court may issue such an order only if it is satisfied that there is probable cause to believe that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty.

2. An application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment may be made by a spouse, parent, adult child or legal guardian of the person. The spouse, parent, adult child or legal guardian and any other person who has a legitimate interest in the person alleged to be a person with mental illness may apply to a district court for an order described in paragraph (b) of subsection 1.

3. The application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment must reveal the circumstances under which the person was taken into custody and the reasons therefor.

4. Except as otherwise provided in this subsection, each person admitted to a public or private mental health facility or hospital under an emergency admission must be evaluated at the time of admission by a psychiatrist or a psychologist. If a psychiatrist or a psychologist is not available to conduct an evaluation at the time of admission, a physician may conduct the evaluation. Each such emergency admission must be approved by a psychiatrist.

5. As used in this section, "an accredited agent of the Department" means any person appointed or designated by the Director of the Department to take into custody and transport to a mental health facility pursuant to subsections 1 and 2 those persons in need of emergency admission.

Sec. 32. NRS 433A.330 is hereby amended to read as follows:

433A.330 1. When any involuntary court admission is ordered under the provisions of this chapter, the involuntarily admitted person, together with the court orders and certificates of the physicians, certified psychologists or evaluation team and a full and complete transcript of the notes of the official reporter made at the examination of such person before the court, must be delivered to the sheriff of the county who shall:

(a) Transport the person; or

(b) Arrange for the person to be transported by:



* S B 3 1 2 *

(1) A system for the nonemergency medical transportation of persons ; ~~whose operation is authorized by the Nevada Transportation Authority;~~ or

(2) If medically necessary, an ambulance service that holds a permit issued pursuant to the provisions of chapter 450B of NRS, to the appropriate public or private mental health facility.

2. No person with mental illness may be transported to the mental health facility without at least one attendant of the same sex or a relative in the first degree of consanguinity or affinity being in attendance.

Sec. 33. NRS 441A.560 is hereby amended to read as follows:

441A.560 1. An application to a health authority for an order of emergency isolation or quarantine of a person or a group of persons alleged to have been infected with or exposed to a communicable disease may only be made by another health authority, a physician, a physician assistant licensed pursuant to chapter 630 or 633 of NRS, a registered nurse or a medical facility by submitting the certificate required by NRS 441A.570. Within its jurisdiction, upon application or on its own, subject to the provisions of NRS 441A.500 to 441A.720, inclusive, a health authority may:

(a) Pursuant to its own order and without a warrant:

(1) Take a person or group of persons alleged to and reasonably believed by the health authority to have been infected with or exposed to a communicable disease into custody in any safe location under emergency isolation or quarantine for testing, examination, observation and the provision of or arrangement for the provision of consensual medical treatment; and

(2) Transport the person or group of persons alleged to and reasonably believed by the health authority to have been infected with or exposed to a communicable disease to a public or private medical facility, a residence or other safe location for that purpose, or arrange for the person or group of persons to be transported for that purpose by:

(I) A local law enforcement agency;

(II) A system for the nonemergency medical transportation of persons ; ~~whose operation is authorized by the Nevada Transportation Authority;~~ or

(III) If medically necessary, an ambulance service that holds a permit issued pursuant to the provisions of chapter 450B of NRS,

only if the health authority acting in good faith has, based upon personal observation, its own epidemiological investigation or an epidemiological investigation by another health authority, a physician, a physician assistant licensed pursuant to chapter 630 or 633 of NRS or a registered nurse as stated in a certificate submitted



1 pursuant to NRS 441A.570, if such a certificate was submitted, of
2 the person or group of persons alleged to have been infected with or
3 exposed to a communicable disease, a reasonable factual and
4 medical basis to believe that the person or group of persons has been
5 infected with or exposed to a communicable disease, and that
6 because of the risks of that disease, the person or group of persons is
7 likely to be an immediate threat to the health of members of the
8 public who have not been infected with or exposed to the
9 communicable disease.

10 (b) Petition a district court for an emergency order requiring:

11 (1) Any health authority or peace officer to take a person or
12 group of persons alleged to have been infected with or exposed to a
13 communicable disease into custody to allow the health authority to
14 investigate, file and prosecute a petition for the involuntary court-
15 ordered isolation or quarantine of the person or group of persons
16 alleged to have been infected with or exposed to a communicable
17 disease in the manner set forth in NRS 441A.500 to 441A.720,
18 inclusive; and

19 (2) Any agency, system or service described in subparagraph
20 (2) of paragraph (a) to transport, in accordance with such court
21 order, the person or group of persons alleged to have been infected
22 with or exposed to a communicable disease to a public or private
23 medical facility, a residence or other safe location for that purpose.

24 2. The district court may issue an emergency order for isolation
25 or quarantine pursuant to paragraph (b) of subsection 1:

26 (a) Only for the time deemed necessary by the court to allow a
27 health authority to investigate, file and prosecute each petition for
28 involuntary court-ordered isolation or quarantine pursuant to NRS
29 441A.500 to 441A.720, inclusive; and

30 (b) Only if it is satisfied that there is probable cause to believe
31 that the person or group of persons alleged to have been infected
32 with or exposed to a communicable disease has been infected with
33 or exposed to a communicable disease, and that because of the risks
34 of that disease, the person or group of persons is likely to be an
35 immediate threat to the health of the public.

36 **Sec. 34.** NRS 441A.720 is hereby amended to read as follows:

37 441A.720 When any involuntary court isolation or quarantine
38 is ordered under the provisions of NRS 441A.500 to 441A.720,
39 inclusive, the involuntarily isolated or quarantined person, together
40 with the court orders, any certificates of the health authorities,
41 physicians, physician assistants licensed pursuant to chapter 630 or
42 633 of NRS or registered nurses, the written summary of the
43 evaluation team and a full and complete transcript of the notes of the
44 official reporter made at the examination of such person before



1 the court, must be delivered to the sheriff of the appropriate county
2 who must be ordered to:

3 1. Transport the person; or

4 2. Arrange for the person to be transported by:

5 (a) A system for the nonemergency medical transportation of
6 persons ; ~~[whose operation is authorized by the Nevada~~
7 ~~Transportation Authority;]~~ or

8 (b) If medically necessary, an ambulance service that holds a
9 permit issued pursuant to the provisions of chapter 450B of NRS,
10 ➔ to the appropriate public or private medical facility, residence or
11 other safe location.

12 **Sec. 35.** NRS 445B.200 is hereby amended to read as follows:

13 445B.200 1. The State Environmental Commission is hereby
14 created within the Department. The Commission consists of:

15 (a) The Director of the Department of Wildlife;

16 (b) The State Forester Firewarden;

17 (c) The State Engineer;

18 (d) The Director of the State Department of Agriculture;

19 (e) The Administrator of the Division of Minerals of the
20 Commission on Mineral Resources;

21 (f) A member of the State Board of Health to be designated by
22 that Board; and

23 (g) Five members appointed by the Governor:

24 (1) One of whom is a general engineering contractor or a
25 general building contractor licensed pursuant to chapter 624 of
26 NRS;

27 (2) One of whom possesses expertise in performing mining
28 reclamation; and

29 (3) One of whom possesses experience and expertise in
30 advocating issues relating to conservation.

31 2. The Governor shall appoint the Chair of the Commission
32 from among the members of the Commission.

33 3. A majority of the members constitutes a quorum, and a
34 majority of those present must concur in any decision.

35 4. Each member who is appointed by the Governor is entitled
36 to receive a salary of not more than \$80, as fixed by the
37 Commission, for each day's attendance at a meeting of the
38 Commission.

39 5. While engaged in the business of the Commission, each
40 member and employee of the Commission is entitled to receive the
41 per diem allowance and travel expenses provided for state officers
42 and employees generally.

43 6. Any person who receives or has received during the
44 previous 2 years a significant portion of his or her income, as
45 defined by any applicable state or federal law, directly or indirectly



* S B 3 1 2 *

1 from one or more holders of or applicants for a permit required by
2 NRS 445A.300 to 445A.730, inclusive, is disqualified from serving
3 as a member of the Commission. The provisions of this subsection
4 do not apply to any person who receives, or has received during the
5 previous 2 years, a significant portion of his or her income from any
6 department or agency of State Government which is a holder of or
7 an applicant for a permit required by NRS 445A.300 to 445A.730,
8 inclusive.

9 7. The Department shall provide technical advice, support and
10 assistance to the Commission. All state officers, departments,
11 commissions and agencies, including the Department of
12 Transportation, the Department of Health and Human Services, the
13 Nevada System of Higher Education, the State Public Works Board,
14 the Department of Motor Vehicles, the Department of Public Safety,
15 the Public Utilities Commission of Nevada ~~{, the Nevada~~
16 ~~Transportation Authority}~~ and the State Department of Agriculture
17 may also provide technical advice, support and assistance to the
18 Commission.

19 **Sec. 36.** NRS 481.051 is hereby amended to read as follows:

20 481.051 1. The Director shall direct and supervise all
21 administrative and technical activities of the Department.

22 2. The Director may organize the Department into various
23 divisions, alter the organization and reassign responsibilities and
24 duties as the Director deems appropriate.

25 3. The Director shall:

26 (a) Formulate the policy of the Department and the various
27 divisions thereof.

28 (b) Coordinate the activities of the various divisions of the
29 Department.

30 (c) Adopt such regulations consistent with law as the Director
31 deems necessary for the operation of the Department and the
32 enforcement of all laws administered by the Department.

33 4. The Director may appoint vendors to serve as agents of the
34 Department to sell temporary permits. The vendor shall collect the
35 fees for the permits issued pursuant to chapter 706 of NRS and pay
36 them to the Department. The vendor shall guarantee payment by
37 giving a bond in an amount not less than \$25,000, executed by the
38 vendor as principal, and by a corporation qualified pursuant to the
39 laws of this State as surety, payable to the State of Nevada. In lieu
40 of a bond, the vendor may deposit with the State Treasurer a like
41 amount of lawful money of the United States or any other form of
42 security authorized by NRS 100.065. If security is provided in the
43 form of a savings certificate, certificate of deposit or investment
44 certificate, the certificate must state that the amount is not available
45 for withdrawal except upon approval of the Director. Upon approval



1 of the Governor, the Director may appoint ~~inspectors of the Nevada~~
2 ~~Transportation Authority and~~ personnel of the Nevada Highway
3 Patrol Division of the Department of Public Safety to serve without
4 remuneration as vendors for the purposes of this subsection.

5 5. The Director may delegate to the officers and employees of
6 the Department such authorities and responsibilities not otherwise
7 delegated by law as the Director deems necessary for the efficient
8 conduct of the business of the Department.

9 **Sec. 37.** NRS 482.162 is hereby amended to read as follows:

10 482.162 The Department shall adopt regulations establishing
11 the criteria to be used to determine whether a person is a farmer or
12 rancher for the purposes of NRS 482.036 . ~~[and 706.071.]~~ A person
13 must present appropriate evidence to allow the Department to make
14 the determination that the person satisfies the criteria set forth in the
15 regulations.

16 **Sec. 38.** NRS 482.181 is hereby amended to read as follows:

17 482.181 1. Except as otherwise provided in subsection 5,
18 after deducting the amount withheld by the Department and the
19 amount credited to the Department pursuant to subsection 6 of NRS
20 482.180, and the amount transferred to the State General Fund
21 pursuant to NRS 482.182, the Department shall certify monthly to
22 the State Board of Examiners the amount of the basic and
23 supplemental governmental services taxes collected for each county
24 by the Department and its agents during the preceding month, and
25 that money must be distributed monthly as provided in this section.

26 2. Any supplemental governmental services tax collected for a
27 county must be distributed only to the county, to be used as
28 provided in NRS 371.043, 371.045 and 371.047.

29 3. The distribution of the basic governmental services tax
30 received or collected for each county must be made to the county
31 school district within each county before any distribution is made to
32 a local government, special district or enterprise district. For the
33 purpose of calculating the amount of the basic governmental
34 services tax to be distributed to the county school district, the taxes
35 levied by each local government, special district and enterprise
36 district are the product of its certified valuation, determined
37 pursuant to subsection 2 of NRS 361.405, and its tax rate,
38 established pursuant to NRS 361.455 for the fiscal year beginning
39 on July 1, 1980, except that the tax rate for school districts,
40 including the rate attributable to a district's debt service, is the rate
41 established pursuant to NRS 361.455 for the fiscal year beginning
42 on July 1, 1978, but if the rate attributable to a district's debt service
43 in any fiscal year is greater than its rate for the fiscal year beginning
44 on July 1, 1978, the higher rate must be used to determine the
45 amount attributable to debt service.



4. After making the distributions set forth in subsection 3, the remaining money received or collected for each county must be deposited in the Local Government Tax Distribution Account created by NRS 360.660 for distribution to local governments, special districts and enterprise districts within each county pursuant to the provisions of NRS 360.680 and 360.690.

5. An amount equal to any basic governmental services tax distributed to a redevelopment agency in the Fiscal Year 1987-1988 must continue to be distributed to that agency as long as it exists but must not be increased.

6. The Department shall make distributions of the basic governmental services tax directly to county school districts.

7. As used in this section:

(a) "Enterprise district" has the meaning ascribed to it in NRS 360.620.

(b) "Local government" has the meaning ascribed to it in NRS 360.640.

(c) "Received or collected for each county" means ~~the~~:

~~(1) For the basic governmental services tax collected on vehicles subject to the provisions of chapter 706 of NRS, the amount determined for each county based on the following percentages:~~

Carson City.....1.07 percent	Lincoln.....3.12 percent
Churchill.....5.21 percent	Lyon.....2.90 percent
Clark.....22.54 percent	Mineral.....2.40 percent
Douglas.....2.52 percent	Nye.....4.09 percent
Elko.....13.31 percent	Pershing.....7.00 percent
Esmeralda.....2.52 percent	Storey.....0.19 percent
Eureka.....3.10 percent	Washoe.....12.24 percent
Humboldt.....8.25 percent	White Pine.....5.66 percent
Lander.....3.88 percent	

~~(2) For all other basic and supplemental governmental services tax received or collected by the Department, the amount attributable to each county based on the county of registration of the vehicle for which the tax was paid.~~

(d) "Special district" has the meaning ascribed to it in NRS 360.650.

Sec. 39. NRS 482.205 is hereby amended to read as follows:

482.205 Except as otherwise provided in this chapter, ~~and NRS 706.188,~~ every owner of a motor vehicle, trailer or semitrailer intended to be operated upon any highway in this State shall, before the motor vehicle, trailer or semitrailer can be operated, apply to the



1 Department or a registered dealer for and obtain the registration
2 thereof.

3 **Sec. 40.** NRS 482.2703 is hereby amended to read as follows:

4 482.2703 1. The Director may order the preparation of
5 sample license plates which must be of the same design and size as
6 regular license plates or license plates issued pursuant to NRS
7 482.384. The Director shall ensure that:

8 (a) Each license plate issued pursuant to this subsection,
9 regardless of its design, is inscribed with the word SAMPLE and an
10 identical designation which consists of the same group of three
11 numerals followed by the same group of three letters; and

12 (b) The designation of numerals and letters assigned pursuant to
13 paragraph (a) is not assigned to a vehicle registered pursuant to this
14 chapter. ~~for chapter 706 of NRS.~~

15 2. The Director may order the preparation of sample license
16 plates which must be of the same design and size as any of the
17 special license plates issued pursuant to NRS 482.3667 to 482.3823,
18 inclusive. The Director shall ensure that:

19 (a) Each license plate issued pursuant to this subsection,
20 regardless of its design, is inscribed with the word SAMPLE and the
21 number zero in the location where any other numerals would
22 normally be displayed on a license plate of that design; and

23 (b) The number assigned pursuant to paragraph (a) is not
24 assigned to a vehicle registered pursuant to this chapter or chapter
25 706 of NRS.

26 3. The Director may establish a fee for the issuance of sample
27 license plates of not more than \$15 for each license plate.

28 4. A decal issued pursuant to NRS 482.271 may be displayed
29 on a sample license plate issued pursuant to this section.

30 5. All money collected from the issuance of sample license
31 plates must be deposited in the State Treasury for credit to the
32 Motor Vehicle Fund.

33 6. A person shall not affix a sample license plate issued
34 pursuant to this section to a vehicle. A person who violates the
35 provisions of this subsection is guilty of a misdemeanor.

36 **Sec. 41.** NRS 482.363 is hereby amended to read as follows:

37 482.363 1. Except as otherwise provided in subsection 7, a
38 person who engages in the leasing of vehicles in this State as a long-
39 term or short-term lessor shall:

40 (a) Secure a license from the Department to conduct the leasing
41 business;

42 (b) Post a bond;

43 (c) Furnish the Department with any other information as may
44 be required;



* S B 3 1 2 *

(d) Comply with the terms and conditions of this chapter which apply to vehicle dealers;

(e) If the applicant is a natural person, submit the statement required pursuant to NRS 482.319; and

(f) Pay a license fee of \$125.

2. Except as otherwise provided in subsection 7, a short-term lessor shall, in addition to the license fee specified in subsection 1, pay a fee of \$125 for each branch to be operated pursuant to the license.

3. Any person employed by a long-term lessor licensed under the provisions of subsection 1 who engages in the practice of arranging or selling such services, and any person employed by a short-term lessor who sells, offers or displays for sale or exchange vehicles which are owned by the short-term lessor shall, before commencing operations, and annually thereafter:

(a) Secure from the Department a license to act as a salesperson of such services; and

(b) Comply with the terms and conditions which apply to salespersons of vehicles as specified in NRS 482.362.

4. An application for the issuance of a license pursuant to this section must include the social security number of the applicant.

5. Licenses issued pursuant to subsection 1 expire on December 31 of each year. Before December 31 of each year, licensees shall furnish the Department with an application for renewal of the license accompanied by an annual renewal fee of \$50. Except as otherwise provided in subsection 7, a short-term lessor shall, in addition to the annual renewal fee, pay an annual fee of \$50 for each branch to be operated pursuant to the license. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The renewal application must be provided by the Department and must contain information required by the Department.

6. The provisions of NRS 482.352, relating to the denial, revocation or suspension of licenses, apply to licenses issued pursuant to the provisions of subsection 1. The provisions of NRS 482.362, relating to the denial, revocation, suspension and transfer of vehicle salespersons' licenses, apply to licenses issued pursuant to the provisions of subsection 3.

7. The provisions of subsections 1, 2 and 5 which relate to the licensing of lessors of vehicles do not apply to:

(a) An owner of a vehicle who leases it to ~~fa-carrier~~ *an entity that provides transportation services in this State* and operates the vehicle pursuant to that lease; or



* S B 3 1 2 *

(b) A new or used vehicle dealer licensed pursuant to the provisions of NRS 482.325 who engages in the leasing of vehicles in this State as a long-term lessor.

~~[8. As used in this section, "carrier" has the meaning ascribed to it in NRS 482.3963.]~~

Sec. 42. NRS 482.3963 is hereby amended to read as follows:

482.3963 1. An owner of a vehicle who leases it to ~~a carrier~~ *an entity that provides transportation services in this State* and operates the vehicle pursuant to that lease may apply to the Department for a temporary permit to operate the vehicle if the vehicle:

(a) Is not subject to the provisions of NRS 482.390 and 482.395;

(b) Is not currently registered in this State, another state or a foreign country; and

(c) Is operated at the vehicle's unladen weight.

2. The Department shall charge \$10 for such a temporary permit, in addition to all other applicable fees and taxes.

3. Such a temporary permit must:

(a) Bear the date of its expiration;

(b) Expire at 5 p.m. on the 15th day after its date of issuance;

(c) Be affixed to the vehicle in a manner prescribed by the Department; and

(d) Be removed and destroyed upon its expiration or upon the issuance of a certificate of registration for the vehicle, whichever occurs first.

~~[4. As used in this section, "carrier" means a common motor carrier of passengers as defined in NRS 706.041, a common motor carrier of property as defined in NRS 706.046, a contract motor carrier as defined in NRS 706.051, or a private motor carrier of property as defined in NRS 706.111.]~~

Sec. 43. NRS 482.465 is hereby amended to read as follows:

482.465 1. The Department shall rescind and cancel the registration of a vehicle whenever the person to whom the certificate of registration or license plates therefor have been issued makes or permits to be made any unlawful use of the certificate or plates or permits the use thereof by a person not entitled thereto.

2. The Department shall cancel a certificate of title or certificate of registration and license plates which have been issued erroneously or improperly, or obtained illegally.

3. In addition to any other penalty set forth in this chapter and ~~chapters 366 and 706~~ *chapter 366* of NRS, the Department may revoke a certificate of title or a certificate of registration and license plates for a vehicle with a declared gross weight in excess of 26,000 pounds if the Department determines that:



(a) The licensee of the vehicle has violated one or more of the provisions of this chapter or chapter 366 ~~for 706~~ of NRS; and

(b) There is reasonable cause for the revocation.

4. Before revoking a certificate of title or a certificate of registration and license plates pursuant to subsection 3, the Department must send a written notice by certified mail to the licensee at his or her last known address ordering the licensee to appear before the Department at a time not less than 10 days after the mailing of the notice to show cause why the certificate of title or the certificate of registration and license plates should not be revoked pursuant to this section.

5. Upon rescission, revocation or cancellation of the certificate of title or of the certificate of registration and license plates, the affected certificate or certificate and plates must be returned to the Department upon receipt of notice of rescission, revocation or cancellation.

Sec. 44. NRS 483.160 is hereby amended to read as follows:

483.160 1. "School bus" means every motor vehicle owned by or under the control of a public or governmental agency or a private school and regularly operated for the transportation of children to or from school or a school activity or privately owned and regularly operated for compensation for the transportation of children to or from school or a school activity.

2. "School bus" does not include a passenger car operated under a contract to transport children to and from school, a common carrier or commercial vehicle under the jurisdiction of the Surface Transportation Board ~~for the Nevada Transportation Authority~~ when such a vehicle is operated in the regular conduct of its business in interstate or intrastate commerce within the State of Nevada.

Sec. 45. NRS 484A.205 is hereby amended to read as follows:

484A.205 "Regulatory agency" means any of the agencies granted police or enforcement powers under the provisions of subsection 2 of NRS 289.250, NRS 289.260, subsection 2 of NRS 289.270, NRS 289.280, subsection 3 of NRS 289.290 or NRS ~~289.320,~~ 289.340, 407.065, 472.040, 481.048, 501.349 ~~;~~ **or** 565.155. ~~for 706.8821;~~

Sec. 46. NRS 484A.230 is hereby amended to read as follows:

484A.230 1. "School bus" means every motor vehicle owned by or under the control of a public or governmental agency or a private school and regularly operated for the transportation of children to or from school or a school activity or privately owned and regularly operated for compensation for the transportation of children to or from school or a school activity.



2. "School bus" does not include a passenger car operated under a contract to transport children to and from school, a common carrier or commercial vehicle under the jurisdiction of the Surface Transportation Board ~~for the Nevada Transportation Authority~~ when such vehicle is operated in the regular conduct of its business in interstate or intrastate commerce within the State of Nevada.

Sec. 47. NRS 484A.660 is hereby amended to read as follows:

484A.660 Except for felonies and those offenses set forth in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484A.710, a peace officer at the scene of a traffic accident may issue a traffic citation, as provided in NRS 484A.630, or a misdemeanor citation, as provided in NRS 171.1773, to any person involved in the accident when, based upon personal investigation, the peace officer has reasonable and probable grounds to believe that the person has committed any offense pursuant to the provisions of chapters 482 to 486, inclusive, ~~for 706~~ of NRS in connection with the accident.

Sec. 48. NRS 484D.470 is hereby amended to read as follows:

484D.470 1. Tow cars must be equipped with:

(a) One or more brooms, and the driver of the tow car engaged to remove a disabled vehicle from the scene of an accident shall remove all glass and debris deposited upon the roadway by the disabled vehicle which is to be towed.

(b) A shovel, and whenever practical the driver of the tow car engaged to remove any disabled vehicle shall spread dirt upon any portion of the roadway where oil or grease has been deposited by the disabled vehicle.

(c) At least one fire extinguisher of the dry chemical or carbon dioxide type, with minimum effective chemicals of no less than 5 pounds, with an aggregate rating of at least 10-B, C units, which must bear the approval of a laboratory nationally recognized as properly equipped to grant such approval.

2. A citation may be issued to any driver of a tow car who violates any provision of paragraph (a) of subsection 1. The peace officer who issues the citation shall report the violation to the Nevada Highway Patrol or the sheriff of the county or the chief of police of the city in which the roadway is located. If necessary, the Nevada Highway Patrol, sheriff or chief of police shall cause the roadway to be cleaned and shall bill the owner or operator of the tow car for the costs of the cleaning. ~~If the owner or operator does not pay those costs within 30 days after receiving the bill therefor, the Nevada Highway Patrol, sheriff or chief of police shall report such information to the Nevada Transportation Authority, which may take disciplinary action in accordance with the provisions of NRS 706.449.]~~



Sec. 49. NRS 484D.570 is hereby amended to read as follows:
484D.570 1. Except as otherwise provided in subsection 2 :

~~{and NRS 706.235:}~~

(a) A person shall not operate any vehicle after notice of an unsafe condition or that the vehicle is not equipped as required by this chapter, unless it is necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage .
~~{and operation of the vehicle is not further limited by NRS 706.246.}~~

(b) If any peace officer or vehicle safety inspector finds that any vehicle is unsafe to a degree that continued operation would endanger the driver, any other occupant or any person on a public highway, the officer or inspector may require that the driver cease operation of the vehicle or that the vehicle be taken to the nearest garage or other safe place.

2. If the vehicle is transporting wet concrete or other perishable cargo and does not pose an immediate threat to the life of the driver or any other person upon a public highway, and if the destination of the vehicle is within a distance of not more than 15 miles, the peace officer or vehicle safety inspector shall permit the vehicle to proceed to its destination and unload its cargo. Upon the arrival of the vehicle at its destination, the officer or inspector may order that the vehicle be taken, after the cargo of the vehicle has been unloaded, to the nearest garage or other place where the vehicle may be safely repaired.

Sec. 50. NRS 484D.615 is hereby amended to read as follows:

484D.615 1. Except as otherwise provided in subsection 2, the length of a bus may not exceed 45 feet and the length of a motortruck may not exceed 40 feet.

2. A passenger bus which has three or more axles and two sections joined together by an articulated joint with a trailer which is equipped with a mechanically steered rear axle may not exceed a length of 65 feet.

3. Except as otherwise provided in subsections 4, ~~{7}~~ 6 and 9, no combination of vehicles, including any attachments thereto coupled together, may exceed a length of 70 feet.

4. The Department of Transportation, by regulation, shall provide for the operation of combinations of vehicles in excess of 70 feet in length. The regulations must establish standards for the operation of such vehicles which must be consistent with their safe operation upon the public highways and with the provisions of 23 C.F.R. § 658.23. Such standards must include:

(a) Types and number of vehicles to be permitted in combination;

(b) Horsepower of a motortruck;

(c) Operating speeds;



* S B 3 1 2 *

- (d) Braking ability; and
- (e) Driver qualifications.

➔ The operation of such vehicles is not permitted on highways where, in the opinion of the Department of Transportation, their use would be inconsistent with the public safety because of a narrow roadway, excessive grades, extreme curvature or vehicular congestion.

5. Combinations of vehicles operated under the provisions of subsection 4 may, after obtaining a special permit issued at the discretion of, and in accordance with procedures established by, the Department of Transportation, carry loads not to exceed the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$, wherein:

(a) W equals the maximum load in pounds carried on any group of two or more consecutive axles computed to the nearest 500 pounds;

(b) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and

(c) N equals the number of axles in the group under consideration.

➔ The distance between axles must be measured to the nearest foot. If a fraction is exactly one-half foot, the next largest whole number must be used. The permits may be restricted in such manner as the Department of Transportation considers necessary and may, at the option of the Department, be cancelled without notice. No such permits may be issued for operation on any highway where that operation would prevent this State from receiving federal money for highway purposes.

~~6. Upon approving an application for a permit to operate combinations of vehicles pursuant to subsection 5, the Department of Transportation shall withhold issuance of the permit until the applicant has furnished proof of compliance with the provisions of NRS 706.531.~~

~~7.]~~ The load upon any motor vehicle operated alone, or the load upon any combination of vehicles, must not extend beyond the front or the rear of the vehicle or combination of vehicles for a distance of more than 10 feet, or a total of 10 feet both to the front or the rear, and a combination of vehicles and load thereon may not exceed a total of 75 feet without having secured a permit pursuant to subsection 4 or NRS 484D.600. The provisions of this subsection do not apply to the booms or masts of shovels, cranes or water well drilling and servicing equipment carried upon a vehicle if:

(a) The booms or masts do not extend by a distance greater than two-thirds of the wheelbase beyond the front tires of the vehicle.



(b) The projecting structure or attachments thereto are securely held in place to prevent dropping or swaying.

(c) No part of the structure which extends beyond the front tires is less than 7 feet from the roadway.

(d) The driver's vision is not impaired by the projecting or supporting structure.

~~§8.1~~ 7. Lights and other warning devices which are required to be mounted on a vehicle pursuant to this chapter must not be included in determining the length of a vehicle or combination of vehicles and the load thereon.

~~§9.1~~ 8. This section does not apply to:

(a) Vehicles used by a public utility for the transportation of poles;

(b) A combination of vehicles consisting of a truck-tractor drawing a semitrailer that does not exceed 53 feet in length;

(c) A combination of vehicles consisting of a truck-tractor drawing a semitrailer and a trailer, neither of which exceeds 28 1/2 feet in length; or

(d) A driveaway saddle mount with full mount vehicle transporter combination that does not exceed 97 feet in length.

~~§10.1~~ 9. As used in this section:

(a) "Driveaway saddle mount with full mount vehicle transporter combination" means a vehicle combination designed and specifically used to tow up to three trucks or truck-tractors, each connected by a saddle to the frame or fifth wheel of the forward vehicle of the truck-tractor in front of it.

(b) "Motortruck" has the meaning ascribed to it in NRS 482.073.

Sec. 51. NRS 484E.070 is hereby amended to read as follows:

484E.070 1. Except as otherwise provided in subsections 2, 3 and 4, 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 Nevada Transportation Authority]~~ need not submit in his or her report the information requested pursuant to subsection 3 of NRS 484E.120 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 the person's incapacity. Whenever the driver is physically incapable of making a written report of an accident as required in this section and the driver 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 as otherwise provided in NRS 239.0115 and except that the Department may disclose to a person involved in an accident or to his or her insurer the identity of another person involved in the accident when the person's identity is not otherwise known or when the person denies having been present at the accident. The Department may also disclose the name of the person's insurer and the number of the person's 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, 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 vehicles involved and the investigating officers. The report may be used as evidence when necessary to prosecute charges filed in connection with a violation of NRS 484E.080.



* S B 3 1 2 *

Sec. 52. NRS 487.038 is hereby amended to read as follows:

487.038 1. Except as otherwise provided in subsections 3 and 4, the owner or person in lawful possession of any real property may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator ~~[subject to the jurisdiction of the Nevada Transportation Authority]~~ to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard if:

(a) A sign is displayed in plain view on the property declaring public parking to be prohibited or restricted in a certain manner; and

(b) The sign shows the telephone number of the police department or sheriff's office.

2. Oral notice must be given to the police department or sheriff's office, whichever is appropriate, indicating:

(a) The time the vehicle was removed;

(b) The location from which the vehicle was removed; and

(c) The location to which the vehicle was taken.

3. Any vehicle which is parked in a space designated for persons with disabilities and is not properly marked for such parking may be removed if notice is given to the police department or sheriff's office pursuant to subsection 2, whether or not a sign is displayed pursuant to subsection 1.

4. The owner or person in lawful possession of residential real property upon which a single-family dwelling is located may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator ~~[subject to the jurisdiction of the Nevada Transportation Authority]~~ to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard, whether or not a sign is displayed pursuant to subsection 1.

5. All costs incurred under the provisions of this section for towing and storage must be borne by the owner of the vehicle, as that term is defined in NRS 484A.150.

6. The provisions of this section do not limit or affect any rights or remedies which the owner or person in lawful possession of real property may have by virtue of other provisions of the law authorizing the removal of a vehicle parked on that property.

Sec. 53. NRS 565.040 is hereby amended to read as follows:

565.040 1. The Director may declare any part of this State a brand inspection district.

2. After the creation of any brand inspection district as authorized by this chapter, all animals within any such district are subject to brand inspection in accordance with the provisions of this chapter before:

(a) Consignment for slaughter within any district;



* S B 3 1 2 *

(b) Any transfer of ownership by sale or otherwise; or

(c) Removal from the district if the removal is not authorized pursuant to a livestock movement permit issued by the Department.

3. If a brand inspection district is created by the Department pursuant to the provisions of this chapter, the Director shall adopt regulations defining the boundaries of the district and the fees to be collected for brand inspection and prescribing such other methods of procedure not inconsistent with the provisions of this chapter as the Director considers necessary.

4. Any regulations adopted pursuant to the provisions of this section must be published at least twice in a newspaper having a general circulation in the brand inspection district created by the regulations . ~~[, and copies of the regulations must be mailed to all common carriers of record with the Nevada Transportation Authority operating in the brand inspection district.]~~ Such publication and notification constitutes legal notice of the creation of the brand inspection district. The expense of advertising and notification must be paid from the Livestock Inspection Account.

Sec. 54. NRS 598A.040 is hereby amended to read as follows:

598A.040 The provisions of this chapter do not apply to:

1. Any labor, agricultural or horticultural organizations organized for the purpose of self-help and not for profit to itself nor to individual members thereof, while lawfully carrying out its legitimate objects.

2. Bona fide religious and charitable activities of any nonprofit corporation, trust or organization established exclusively for religious or charitable purposes.

3. Conduct which is expressly authorized, regulated or approved by:

(a) A statute of this State or of the United States;

(b) An ordinance of any city or county of this State, except for ordinances relating to video service providers; or

(c) An administrative agency of this State or of the United States or of a city or county of this State, having jurisdiction of the subject matter.

4. ~~[Conduct or agreements relating to rates, fares, classifications, divisions, allowances or charges, including charges between carriers and compensation paid or received for the use of facilities and equipment, that are authorized, regulated or approved by the Nevada Transportation Authority pursuant to chapter 706 of NRS.~~

~~—5.]~~ Restrictive covenants:

(a) Which are part of a contract of sale for a business and which bar the seller of the business from competing with the purchaser of



1 the business sold within a reasonable market area for a reasonable
2 period of time; or

3 (b) Which are part of a commercial shopping center lease and
4 which bar the parties from permitting or engaging in the furnishing
5 of certain services or the sale of certain commodities within the
6 commercial shopping center where such leased premises are located.

7 **Sec. 55.** 1. Notwithstanding the provisions of section 3 of
8 this act, Clark County shall, on or before December 31, 2011, adopt
9 an ordinance to regulate the activities of limousines and taxicabs
10 within Clark County which becomes effective on July 1, 2012.

11 2. The Taxicab Authority created by NRS 706.8818, which is
12 commonly known as the Southern Nevada Taxicab Authority, is
13 hereby transferred to the control of Clark County on July 1, 2012. If
14 the Clark County Board of County Commissioners wishes to retain
15 any regulations that have been adopted by the Taxicab Authority,
16 the ordinance adopted by Clark County pursuant to subsection 1
17 must include substantially similar provisions.

18 **Sec. 56.** All administrative regulations adopted on or before
19 June 30, 2012, by:

20 1. The Nevada Transportation Authority created by
21 NRS 706.1511;

22 2. The Taxicab Authority created by NRS 706.8818; or

23 3. The Department of Motor Vehicles or Department of Public
24 Safety to carry out the provisions of chapter 706 of NRS, except
25 NRS 706.801 to 706.861, inclusive,

26 ➤ are void on July 1, 2012. The Legislative Counsel shall remove
27 those regulations from the Nevada Administrative Code as soon as
28 practicable after July 1, 2012.

29 **Sec. 57.** The State Controller shall transfer to the State
30 General Fund as soon as practicable on or after July 1, 2012:

31 1. All money remaining in the Nevada Transportation
32 Authority Regulatory Fund created by NRS 706.1516 that has not
33 been committed for expenditure; and

34 2. All money remaining in the Taxicab Authority Fund created
35 by NRS 706.8825 that has not been committed for expenditure.

36 **Sec. 58.** NRS 268.097, 289.320, 338.135, 694C.360, 706.013,
37 706.016, 706.018, 706.021, 706.024, 706.028, 706.031, 706.036,
38 706.041, 706.046, 706.048, 706.051, 706.056, 706.058, 706.061,
39 706.063, 706.066, 706.071, 706.072, 706.073, 706.074, 706.076,
40 706.081, 706.091, 706.096, 706.101, 706.111, 706.116, 706.121,
41 706.126, 706.127, 706.132, 706.136, 706.141, 706.146, 706.151,
42 706.1511, 706.1512, 706.1513, 706.1514, 706.1515, 706.1516,
43 706.1517, 706.1518, 706.156, 706.158, 706.163, 706.166, 706.167,
44 706.1675, 706.168, 706.169, 706.171, 706.1715, 706.1717, 706.172,
45 706.1725, 706.173, 706.176, 706.178, 706.186, 706.188, 706.192,



1 706.196, 706.197, 706.201, 706.211, 706.221, 706.226, 706.231,
2 706.235, 706.246, 706.251, 706.256, 706.266, 706.271, 706.276,
3 706.281, 706.282, 706.285, 706.2855, 706.286, 706.2865, 706.2873,
4 706.2875, 706.288, 706.2883, 706.2885, 706.291, 706.296, 706.303,
5 706.305, 706.3052, 706.3054, 706.3056, 706.3058, 706.306,
6 706.311, 706.321, 706.323, 706.326, 706.331, 706.341, 706.346,
7 706.351, 706.356, 706.371, 706.386, 706.391, 706.396, 706.398,
8 706.411, 706.421, 706.426, 706.431, 706.436, 706.437, 706.438,
9 706.439, 706.4395, 706.442, 706.443, 706.445, 706.446, 706.4463,
10 706.4464, 706.4465, 706.4467, 706.4468, 706.4469, 706.4473,
11 706.4475, 706.4477, 706.4479, 706.4483, 706.4485, 706.449,
12 706.451, 706.453, 706.457, 706.458, 706.461, 706.463, 706.465,
13 706.471, 706.473, 706.475, 706.476, 706.478, 706.481, 706.491,
14 706.521, 706.531, 706.541, 706.546, 706.561, 706.566, 706.571,
15 706.576, 706.581, 706.586, 706.591, 706.596, 706.601, 706.606,
16 706.611, 706.616, 706.621, 706.626, 706.631, 706.6411, 706.672,
17 706.675, 706.678, 706.682, 706.692, 706.736, 706.741, 706.745,
18 706.749, 706.756, 706.758, 706.761, 706.766, 706.771, 706.775,
19 706.779, 706.781, 706.791, 706.881, 706.8811, 706.8812, 706.8813,
20 706.8814, 706.8816, 706.8817, 706.8818, 706.88182, 706.88185,
21 706.8819, 706.882, 706.8821, 706.8822, 706.88235, 706.88237,
22 706.8824, 706.88245, 706.8825, 706.8826, 706.8827, 706.8828,
23 706.8829, 706.883, 706.8831, 706.8832, 706.8833, 706.8834,
24 706.8835, 706.8836, 706.8837, 706.8838, 706.8839, 706.88395,
25 706.8841, 706.8842, 706.8843, 706.8844, 706.8845, 706.8846,
26 706.8847, 706.8848, 706.8849, 706.885, 712.010, 712.020, 712.030,
27 712.040, 712.050, 712.060, 712.070, 712.080 and 712.090 are
28 hereby repealed.

29 **Sec. 59.** 1. This act becomes effective upon passage and
30 approval for the purpose of adopting ordinances or regulations and
31 on July 1, 2012, for all other purposes.

32 2. Section 41 of this act expires by limitation on the date on
33 which the provisions of 42 U.S.C. § 666 requiring each state to
34 establish procedures under which the state has authority to withhold
35 or suspend, or to restrict the use of professional, occupational and
36 recreational licenses of persons who:

37 (a) Failed to comply with a subpoena or warrant relating to a
38 proceeding to determine the paternity of a child or to establish or
39 enforce an obligation for the support of a child; or

40 (b) Are in arrears in the payment for the support of one or more
41 children,

42 ➡ are repealed by the Congress of the United States.



* S B 3 1 2 *

LEADLINES OF REPEALED SECTIONS

268.097 Taxicab motor carriers: License taxes; regulation; supervision.

289.320 Certain designated employees of Nevada Transportation Authority.

338.135 Rental or lease of trucks or truck and trailer combinations by contractors or subcontractors: Hourly rate for vehicle and services of driver.

694C.360 Use of insurance of captive insurer to satisfy requirements relating to insurance on vehicles subject to Nevada Transportation Authority or Taxicab Authority prohibited; exception.

706.013 "Advertise" defined.

706.016 "Ambulance" defined.

706.018 "Authority" defined.

706.021 "Broker" defined.

706.024 "Chair" defined.

706.028 "Combined gross vehicle weight rating" defined.

706.031 "Commission" defined.

706.036 "Common motor carrier" defined.

706.041 "Common motor carrier of passengers" defined.

706.046 "Common motor carrier of property" defined.

706.048 "Compliance enforcement officer" defined.

706.051 "Contract motor carrier" defined.

706.056 "Converter gear dolly" defined.

706.058 "Declared gross weight" defined.

706.061 "Department" defined.

706.063 "Deputy Commissioner" defined.

706.066 "Driveaway-towaway" defined.

706.071 "Farm vehicle" defined.

706.072 "Fully regulated carrier" defined.

706.073 "Gross vehicle weight rating" defined.

706.074 "Hazardous material" defined.

706.076 "Hearse" defined.

706.081 "Highway" defined.

706.091 "Motor convoy carrier" defined.

706.096 "Motor vehicle" defined.

706.101 "Operator" defined.

706.111 "Private motor carrier of property" defined.

706.116 "Semitrailer" defined.

706.121 "Special mobile equipment" defined.



- 706.126 "Taxicab motor carrier" defined.
- 706.127 "Tilt bed" defined.
- 706.132 "Towing services" defined.
- 706.136 "Trailer" defined.
- 706.141 "Unladen weight" defined.
- 706.146 "Vehicle" defined.
- 706.151 Legislative declaration of purpose.
- 706.1511 Authority: Creation; appointment, terms and qualifications of members; restriction on other employment of members; members serve at pleasure of Governor.
- 706.1512 Authority: Designation of Chair by Governor; Executive Officer; members in unclassified service of State.
- 706.1513 The Authority may sue and be sued in the name of the Nevada Transportation Authority.
- 706.1514 Authority: Power of majority of members; exercise of power and conduct of business by majority of members; hearings.
- 706.1515 Authority: Expenses of investigations, inspections, audits and appearances made outside State.
- 706.1516 Nevada Transportation Authority Regulatory Fund: Creation; deposits; use; claims; statements.
- 706.1517 Authority: Employees who are peace officers may carry firearms.
- 706.1518 Authority: Biennial report; records open to public.
- 706.156 Certain carriers and brokers declared affected with public interest and subject to regulation; resale of transportation services.
- 706.158 Inapplicability of provisions governing brokers to motor clubs, charitable organizations and certain other brokers of transportation services.
- 706.163 Inapplicability of certain provisions to governmental vehicles.
- 706.166 Supervision and regulation of fully regulated carriers, brokers of regulated services and operators of tow cars by Authority; enforcement of standards of safety.
- 706.167 Duty of motor carriers to furnish information and annual report.
- 706.1675 Annual reports, records and statements to be submitted under oath.
- 706.168 Supervision of motor carriers separate from supervision of brokers.
- 706.169 Regulation of certain carriers by Department of Motor Vehicles and Department of Public Safety.



706.171 General powers of Authority, Department of Motor Vehicles and Department of Public Safety: Regulations; reports and records; examinations and subpoenas; temporary waivers.

706.1715 Duties of Attorney General and district attorneys.

706.1717 Cooperation with federal and state agencies; payment of expenses incurred for joint conferences and meetings held out of State.

706.172 Examination of records and other property of persons regulated by Authority; exception.

706.1725 Disclosure of records subject to examination: Requirements; conditions.

706.173 Regulations concerning safety for drivers and vehicles; regulations concerning transportation of hazardous materials and hazardous waste.

706.176 Appointment of Deputy Commissioner; employment of compliance enforcement officers and other personnel by Authority.

706.178 Regulations concerning training of compliance enforcement officers.

706.186 Licensing of motor carriers by Department.

706.188 Agreement between Department and motor carrier or service provider regarding registration or transfer or renewal of registration of vehicle; bond or other security; fees; regulations.

706.192 Power of Department to require bond of carrier that is habitually delinquent in making certain payments.

706.196 Reports to Department; preservation of records; penalties for failure to report or preserve records.

706.197 Fees for filing documents.

706.201 Costs of administration.

706.211 Deposit and use of money collected. [Effective through June 30, 2013.]

706.221 NRS 706.011 to 706.791, inclusive, not construed as law for registration of motor vehicles.

706.226 Compliance of motor carriers and brokers of regulated services with provisions of chapter.

706.231 Peace and traffic officers to assist in enforcement.

706.235 Issuance of citation or notice of correction to driver of heavy-duty motor vehicle detained for violation.

706.246 Limitations on use of unsafe vehicle.

706.251 Report of accident: Requirements; preservation; confidentiality.

706.256 Power of Authority to order repairs of facilities and use of safety appliances.



* S B 3 1 2 *

706.266 Intrastate motor carriers required to furnish information to Authority.

706.271 Motor vehicle exceeding limit on size, weight or load not to be licensed or permitted to operate.

706.276 Vehicles to be weighed by public weighmaster or Department; fee; applicability of chapter 582 of NRS; acceptance of certificates from other states; exception for farm vehicles.

706.281 Name of operator to be prominently displayed on vehicle; exceptions.

706.282 Duty of fully regulated carrier that advertises to provide to person who publishes or distributes advertisement of certain information regarding natural person who requested advertisement; duty of person who publishes or distributes advertisement of fully regulated carrier to provide certain information to Authority.

706.285 Advertising must include number of certificate or permit.

706.2855 Injunction prohibiting person from advertising without including number of certificate or permit.

706.286 Complaint against fully regulated carrier or operator of tow car: Investigation by Authority; notice and hearing.

706.2865 Notice of matters pending before Authority; power of Authority to dispense with hearing.

706.2873 Record of hearings: Recording and transcription of testimony; copies to be filed with court clerk and furnished to parties; costs.

706.2875 Order for appearance of witnesses or production of materials; payment of fees and mileage claims by witnesses.

706.288 Order for production of books, accounts, papers or records.

706.2883 Person aggrieved by action or inaction of Taxicab Authority entitled to judicial review; regulations of Nevada Transportation Authority regarding its review of decisions of Taxicab Authority.

706.2885 Suspension or revocation of certificate, permit or license; notice and hearing; conditions; judicial review.

706.291 Liability insurance to be provided by certain motor carriers; Authority to designate amounts; Authority and Department jointly to prescribe amounts and forms by regulation.

706.296 Duty of carrier engaged in intrastate transportation and collecting purchase price on delivery of goods sold by shipper to file bond with Authority.



706.303 Liability insurance to be provided by operators of horse-drawn vehicles; amount of coverage.

706.305 Liability insurance to be provided by operators of taxicabs; amount of coverage.

706.3052 Operator of taxicab may provide self-insurance; exception.

706.3054 Operator of taxicab may file bond in lieu of insurance.

706.3056 Operator of taxicab may deposit security with Department in lieu of insurance.

706.3058 Permitted forms of security.

706.306 Maintenance of security; affidavit required upon relinquishment of certificate of self-insurance.

706.311 Motor carriers and operators of tow cars to provide adequate service and facilities; charges to be just and reasonable; unjust and unreasonable charges unlawful.

706.321 Schedules of rates, fares and charges.

706.323 Limitation on power of Authority to regulate rates.

706.326 Hearing by Authority concerning propriety of new rate, fare, charge or service; suspension of operation of new schedule; order of Authority.

706.331 Authority may order substitution of just and reasonable rates, regulations and practices after investigation and hearing.

706.341 Operator of tow car required to notify Authority of discontinuance of towing services; common motor carrier may not discontinue service without order of Authority.

706.346 Printing and posting of schedule and joint rates.

706.351 Free or reduced rates for transportation unlawful; exceptions.

706.356 Certain free transportation prohibited.

706.371 Powers of Authority to regulate contract motor carriers.

706.386 Persons required to obtain certificate.

706.391 Application for issuance or modification of certificate: Hearing; standards for reviewing application; duties of applicant; powers of Authority.

706.396 Effect of denial of certificate.

706.398 Revocation or suspension of certificate: Failure to file annual report to operate under terms and conditions of certificate or to comply with provisions of chapter or regulations of Authority.

706.411 Order of Authority prima facie lawful from date of order.



706.421 Contract motor carrier must obtain permit from Commission.

706.426 Application for permit: Contents and form.

706.431 Conditions for issuance or denial of permit; approval of contract entered into after issuance of permit.

706.436 Effect of denial of permit.

706.437 Certain common carriers of property to obtain written approval from Department.

706.438 Conditions for issuance of written approval.

706.439 Department authorized to issue written approval at time of registration or licensing of carrier's fleet.

706.4395 Cancellation of written approval.

706.442 Requirements.

706.443 Enforcement of provisions of NRS 706.442 by Authority; regulations.

706.445 Limitations on power of Authority to regulate towing services.

706.446 Certain operators of tow cars not required to obtain certificates of public convenience and necessity.

706.4463 Requirements for operators of tow cars: Certificates of public convenience and necessity; size and weight of tow cars; applications for certificates.

706.4464 Transfer of certificate of public convenience and necessity: Conditions; application; hearing; approval.

706.4465 Operator of tow car required to maintain dispatcher's log.

706.4467 Requirements for towing and storing towed motor vehicles, cargo and personal property.

706.4468 Operator of tow car required to file charges for preparing or satisfying liens with Authority; conditions for imposing charges.

706.4469 Release of motor vehicle connected to tow car at point of origination of towing.

706.4473 Operator required to inform owner of towed motor vehicle of right to file complaint with Authority.

706.4475 Operator prohibited from knowingly towing vehicle after another operator already requested.

706.4477 Conditions for person other than owner of motor vehicle to request towing; payment of costs by owner; exceptions.

706.4479 Duties of operator if motor vehicle towed at request of person other than owner; limitations on certain fees and charges.

706.4483 Authority to act upon complaints relating to operators of tow cars; remedies.



706.4485 Conditions for inclusion of operator of tow car on list maintained and used by law enforcement agency; rates charged to law enforcement agencies; Nevada Highway Patrol prohibited from removing operator from list or restricting use of operator under certain circumstances.

706.449 Administrative fine for failure to pay charge for cleaning roadway after accident.

706.451 Annual fee; penalty and interest.

706.453 Exemption of certain automobile wreckers.

706.457 Authority may subpoena certain persons who have not obtained certificate of public convenience and necessity or permit.

706.458 Enforcement of subpoena.

706.461 Investigation of operations and advertising; hearing; order to cease and desist.

706.463 Regulation of owner or operator of charter bus which is not fully regulated carrier: Safety; liability insurance and bonds; schedules and tariffs.

706.465 Annual fee.

706.471 Annual fee; penalty and interest.

706.473 Leasing of taxicab to independent contractor: Authorization in certain counties; limitations; approval of agreement; liability for violations; intervention in civil action by Authority.

706.475 Leasing of taxicab to independent contractor: Regulations of Authority.

706.476 Impoundment by Authority of certain vehicles in unauthorized use; notice and hearing; administrative fine.

706.478 Short-term lessor not liable for fine or penalty related to impoundment of certain vehicles in unauthorized use if vehicle in care, custody or control of lessee; evidence of care, custody or control; release of vehicle to short-term lessor.

706.481 Operator of motor vehicle within provisions of chapter deemed owner; joint and several liability of lessor and lessee for fees, taxes, penalties and interest.

706.491 Motor carrier must be licensed.

706.521 Temporary permit for certain motor vehicles; fee.

706.531 Combinations of vehicles: Special identifying devices; display; transfer; fee; penalties.

706.541 Purchase of temporary permit required before entering State.

706.546 Charge for credit allowed against subsequent fees.

706.561 Temporary waiver of fees in emergency.

706.566 Civil action for collection of unpaid fees.

706.571 Procedure for refund of fee, penalty or interest.



706.576 Injunction or other process to prevent collection of fees prohibited; action to recover amount paid under protest.

706.581 Action to recover amount paid: Time to sue; waiver of right; consideration of grounds of illegality.

706.586 Judgment for plaintiff: Disposition of amount; interest.

706.591 Issuance of writ of attachment; bond or affidavit not required.

706.596 Evidentiary effect of verified claim of Department.

706.601 Delinquent fees, interest and penalties constitute lien against motor vehicle; time of attachment of lien; Department to notify registered owner before seizure and sale of vehicle; hearing.

706.606 Duration of lien.

706.611 Priority of lien.

706.616 Transfer of ownership or license: Issuance of certificate of registration or title or transfer of license prohibited until Department certifies removal of lien.

706.621 Notice by Department to person controlling credits or property of delinquent licensee; limitations on transfer or disposition of property.

706.626 Revocation or denial of license: Notice and hearing.

706.631 Remedies of State cumulative; election of remedies.

706.6411 Procedure; limitation on transfer of stock of corporate motor carriers other than operators of tow cars.

706.672 Definitions.

706.675 "Commercial motor vehicle" defined.

706.678 "Intrastate driver" defined.

706.682 Limitations on intrastate drivers of commercial motor vehicles.

706.692 Limitations on drivers of other regulated motor vehicles.

706.736 Exemption of certain vehicles and transportation from provisions regulating certain motor carriers; applicability of certain provisions.

706.741 Exemption of certain vehicles used in business of resort hotel that holds nonrestricted gaming license; requirements regarding inspection of such vehicles.

706.745 Exemption of ambulances, hearses and certain carriers from requirements of NRS 706.386 and 706.421; exemption of certain carriers and public entities from requirement to obtain certificate of public convenience and necessity; conditions and limitations on exemptions.



706.749 Permit for employer transporting employees between place of work and homes or central areas for parking; requirements.

706.756 Unlawful acts; criminal penalties.

706.758 Unlawful for person to advertise services for which certificate or permit is required unless person holds certificate or permit; orders to cease and desist unlawful advertising; procedure for disconnecting or changing telephone or paging number included in unlawful advertising.

706.761 Civil penalty for failure to furnish report or allow inspection of books.

706.766 Receipt of compensation not in conformity with rates filed with Authority unlawful; granting of rebate or special privilege unlawful.

706.771 Civil penalty or administrative fine by Authority for certain violations.

706.775 Administrative fine by Department for certain violations.

706.779 Movement of vehicle by Authority after stopping driver for violation of certain provisions.

706.781 Additional civil remedies.

706.791 Additional or estimated assessment of fees: Interest; penalties; notice; redeterminations.

706.881 Applicability of NRS 706.8811 to 706.885, inclusive.

706.8811 Definitions.

706.8812 "Administrator" defined.

706.8813 "Certificate holder" defined.

706.8814 "Driver" defined.

706.8816 "Taxicab" defined.

706.8817 "Taximeter" defined.

706.8818 Appointment, number, terms, qualifications and compensation of members; principal office; regulations.

706.88182 Adoption of regulations establishing program for transportation of elderly persons and persons with permanent disabilities.

706.88185 Investigation of alleged violation; hearing; cease and desist order; enforcement of order.

706.8819 Hearings and final decisions; jurisdiction; appeals from final decisions.

706.882 Appointment; classification; removal; restrictions on other employment.

706.8821 Powers and duties; employees.

706.8822 Administrative hearings and final decisions; jurisdiction; appeals to Taxicab Authority.



706.88235 Issuance and enforcement of subpoenas; depositions.

706.88237 Power of Taxicab Authority to determine circumstances requiring temporary increase in allocation and to make such allocations.

706.8824 Allocation of number of taxicabs by Taxicab Authority: Factors for determination; limitations; annual review.

706.88245 Temporary increase in allocation of number of taxicabs by Taxicab Authority; factors for determination; regulations.

706.8825 Taxicab Authority Fund: Creation; deposits; use; petty cash account.

706.8826 Revenue of city and county received from taxes imposed on businesses operating taxicabs payable to State; fees payable to State by holder of certificate for allocated taxicab.

706.8827 Certificate of public convenience and necessity required to engage in business of operating taxicabs; hearing on application; fee; conditions; effect of denial of certificate.

706.8828 Insurance.

706.8829 Uniform system of accounts; examination of books and accounts; fines; suspension or revocation of certificate of public convenience and necessity.

706.883 Records.

706.8831 Listing for telephone in telephone directory.

706.8832 Two-way radio; central facilities for dispatching taxicabs.

706.8833 Color scheme, insignie and design of cruising lights.

706.8834 Maximum period of use of vehicle as taxicab; condition of vehicle acquired for use as taxicab; extension of period for hybrid electric vehicle.

706.8835 Display of schedule of fares, number of unit and name of holder of certificate.

706.8836 Taximeters.

706.8837 Standards for taxicabs before operation.

706.8838 Defects in taxicab which limit operation.

706.8839 Inspections.

706.88395 Impoundment by Administrator of vehicle in unauthorized use as taxicab; notice and hearing; administrative fine.

706.8841 Driver's permit: Issuance; fingerprints and qualifications of applicant; grounds for refusal to issue permit; fees.



- 706.8842 Physician's certificate: Issuance; renewal; health requirements.
- 706.8843 Conditions of employment of driver by holder of certificate.
- 706.8844 Trip sheets.
- 706.8845 Standards of conduct while on duty.
- 706.8846 Prohibited acts concerning destination of passenger.
- 706.8847 Compliance with passenger's directions; exceptions.
- 706.8848 Sanctions imposed by Administrator for certain violations; hearing.
- 706.8849 Prohibited and required acts of drivers; imposition of sanctions; hearings.
- 706.885 Unlawful acts; criminal penalties; disciplinary action by Taxicab Authority and Administrator.
- 712.010 Short title.
- 712.020 Legislative declaration.
- 712.030 "Storage of household goods and effects" defined.
- 712.040 Permit for warehouse required.
- 712.050 Requirements for permit; grounds for revocation; fee; penalty.
- 712.060 Inspection by Nevada Transportation Authority.
- 712.070 Rules and regulations of Nevada Transportation Authority.
- 712.080 Disciplinary proceedings; judicial review.
- 712.090 Penalty.

