

Amendment No. 227

Assembly Amendment to Assembly Bill No. 379 (BDR 43-593)

Proposed by: Assembly Committee on Transportation

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 379 (§ 1).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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

DPR/JRS



Date: 4/11/2013

A.B. No. 379—Revises provisions governing the disposal of abandoned recreational vehicles. (BDR 43-593)



ASSEMBLY BILL NO. 379—ASSEMBLYMEN ELLISON; FIORE, HAMBRICK, HANSEN AND OSCARSON

MARCH 18, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the disposal of abandoned recreational vehicles. (BDR 43-593)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to vehicles; authorizing a person to apply for a letter of abandonment for an abandoned recreational vehicle under certain circumstances; requiring a municipal solid waste landfill to accept a recreational vehicle for disposal under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth the procedure for disposal of an abandoned vehicle. (NRS 487.205-487.300) **Section 1** of this bill authorizes an owner or occupant of private property who discovers an abandoned recreational vehicle on that property to apply for a letter of abandonment for the recreational vehicle. **Section 1** also sets forth the procedure for obtaining a letter of abandonment for a recreational vehicle. **Section 5** of this bill requires a municipal solid waste landfill to accept a recreational vehicle for disposal if: (1) the person disposing of the recreational vehicle provides the title to the recreational vehicle which indicates that he or she is the owner of the vehicle or has obtained a letter of abandonment from the Department of Motor Vehicles; and (2) accepting the recreational vehicle for disposal does not violate any applicable federal or state law concerning the operation of the municipal solid waste landfill.

~~Existing law sets forth the requirements for the manufacture, sale, distribution, alteration, transportation and installation in this State of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory built housing. (Chapter 489 of NRS) A "commercial coach" is defined to mean a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes. (NRS 489.062) Section 4 of this bill specifically excludes a special commercial coach from the existing definition of a "commercial coach." Section 2 of this bill defines a "special purpose commercial coach" to mean a structure without motive power, not intended for general public use, which is designed and equipped for human occupancy for industrial, professional or commercial purposes. Section 2 specifically excludes from the definition of "special commercial coach" any recreational park trailer, portable building or commercial coach.~~

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

Section 1. Chapter 487 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to the procedure for disposing of an abandoned vehicle set forth in NRS 487.205 to 487.300, inclusive, if a recreational vehicle is abandoned on private property and is discovered by the owner or occupant of the property, the person who discovers the recreational vehicle may apply for a letter of abandonment for the recreational vehicle. The issuance of a letter of abandonment pursuant to this section divests any other person of any interest in the abandoned recreational vehicle.

2. Before applying for a letter of abandonment, the owner or occupant of the property where the abandoned recreational vehicle is located shall:

(a) If the abandoned recreational vehicle has a serial number, vehicle identification number or registration number or other means of identifying any owner of the abandoned recreational vehicle, obtain the last known address of the owner and notify the owner by registered or certified letter to the last known address of the owner that, if ownership is not claimed and the abandoned recreational vehicle is not removed within 60 days, the owner or occupant of the property where the abandoned recreational vehicle is located will apply for a letter of abandonment. The owner or occupant of the property where the abandoned recreational vehicle is located is not required to send a registered or certified letter if an owner cannot be located or if an address for an owner cannot be ascertained.

(b) Place a notice in a newspaper of general circulation published in the county in which the abandoned recreational vehicle is located, describing the abandoned recreational vehicle and the location where the abandoned recreational vehicle was discovered and providing the serial or vehicle identification number or any other identifying information relating to the abandoned recreational vehicle. The owner or occupant of the property where the abandoned recreational vehicle is located shall state in the notice that, if the abandoned recreational vehicle is not claimed and removed within 60 days after the publication date of the newspaper, the owner or occupant of the property where the abandoned recreational vehicle is located will apply for a letter of abandonment.

3. An owner or occupant of the property where the abandoned recreational vehicle is located may apply to the Department for a letter of abandonment upon the expiration of:

(a) Sixty days after the date on which the owner or occupant of the property where the abandoned recreational vehicle is located mails the registered or certified letter pursuant to paragraph (a) of subsection 2, if such a letter is required; or

*(b) Sixty days after the date of publication of the notice required by paragraph (b) of subsection 2,
↳ whichever is later.*

4. An application for a letter of abandonment for an abandoned recreational vehicle must contain:

(a) A completed application form prescribed by the Department;

(b) Proof that the letter required by paragraph (a) of subsection 2 was mailed at least 60 days before the submission of the application or a detailed explanation

1 of the unsuccessful steps taken to identify all owners of the abandoned
2 recreational vehicle;

3 (c) Proof that a notice was printed in a newspaper as required by paragraph
4 (b) of subsection 2 at least 60 days before the submission of the application;

5 (d) A clear and accurate photograph of the abandoned recreational vehicle;
6 and

7 (e) The serial number, vehicle identification number or registration number,
8 if any, of the abandoned recreational vehicle.

9 5. The Department may charge and collect a fee for issuing a letter of
10 abandonment pursuant to this section, which must not exceed the actual cost to
11 the Department of issuing the letter of abandonment.

12 6. Upon receipt of the materials and information required in subsection 4
13 and any fees required pursuant to subsection 5, the Department shall enter the
14 application upon the records of its office and issue to the applicant a letter of
15 abandonment for the abandoned recreational vehicle.

16 7. As used in this section, "recreational vehicle" has the meaning ascribed
17 to it in NRS 482.101.

18 Sec. 2. ~~[Chapter 489 of NRS is hereby amended by adding thereto a new~~
19 ~~section to read as follows:~~

20 ~~"Special purpose commercial coach" means a structure without motive~~
21 ~~power, not intended for general public use, which is designed and equipped for~~
22 ~~human occupancy for industrial, professional or commercial purposes. The term~~
23 ~~does not include a recreational park trailer, portable building or commercial~~
24 ~~coach.] (Deleted by amendment.)~~

25 Sec. 3. ~~[NRS 489.031 is hereby amended to read as follows:~~

26 ~~489.031 As used in this chapter, unless the context otherwise requires, the~~
27 ~~words and terms defined in NRS 489.036 to 489.155, inclusive, and section 2 of~~
28 ~~this act have the meanings ascribed to them in those sections.] (Deleted by~~
29 ~~amendment.)~~

30 Sec. 4. ~~[NRS 489.062 is hereby amended to read as follows:~~

31 ~~489.062 "Commercial coach" means a structure without motive power which~~
32 ~~is designed and equipped for human occupancy for industrial, professional or~~
33 ~~commercial purposes. The term does not include a recreational park trailer, [or]~~
34 ~~portable building [.] or special purpose commercial coach.] (Deleted by~~
35 ~~amendment.)~~

36 Sec. 5. Chapter 444 of NRS is hereby amended by adding thereto a new
37 section to read as follows:

38 A municipal solid waste landfill shall accept a recreational vehicle for
39 disposal if:

40 1. The person disposing of the recreational vehicle provides:

41 (a) The title to the recreational vehicle, indicating that he or she is the
42 owner; or

43 (b) A letter of abandonment issued by the Department of Motor Vehicles
44 pursuant to section 1 of this act; and

45 2. Accepting the recreational vehicle for disposal does not violate any
46 applicable federal or state law or regulation relating to the operation of the
47 municipal solid waste landfill.

48 Sec. 6. NRS 444.450 is hereby amended to read as follows:

49 444.450 As used in NRS 444.440 to 444.620, inclusive, and section 5 of this
50 act, unless the context otherwise requires, the words and terms defined in NRS
51 444.460 to 444.501, inclusive, have the meanings ascribed to them in those
52 sections.

1 **Sec. 7.** NRS 444.580 is hereby amended to read as follows:

2 444.580 *Except as otherwise provided in section 5 of this act:*

3 1. Any district board of health created pursuant to NRS 439.362 or 439.370
4 and any governing body of a municipality may adopt standards and regulations for
5 the location, design, construction, operation and maintenance of solid waste
6 disposal sites and solid waste management systems or any part thereof more
7 restrictive than those adopted by the State Environmental Commission, and any
8 district board of health may issue permits thereunder.

9 2. Any district board of health created pursuant to NRS 439.362 or 439.370
10 may adopt such other regulations as are necessary to carry out the provisions of
11 NRS 444.440 to 444.620, inclusive ~~H~~, *and section 5 of this act.* Such regulations
12 must not conflict with regulations adopted by the State Environmental Commission.

13 **Sec. 8.** This act becomes effective on July 1, 2013.