

SENATE BILL NO. 284—SENATORS HARDY; AND GOICOECHEA

MARCH 15, 2013

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning investigations of motor vehicle accidents. (BDR 23-107)

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 law enforcement; requiring a law enforcement agency in certain counties to adopt policies and procedures to govern the investigation of motor vehicle accidents in which peace officers employed by the law enforcement agency are involved; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill requires a law enforcement agency in a county whose population is
2 100,000 or more (currently Clark and Washoe Counties) to adopt policies and
3 procedures to govern the investigation of motor vehicle accidents in which peace
4 officers employed by the law enforcement agency are involved. The policies and
5 procedures must include a requirement that if such a motor vehicle accident results
6 in fatal injuries, the investigation must be conducted, except under certain
7 circumstances, by a law enforcement agency other than the agency that employs the
8 peace officer involved in the accident. The policies and procedures may include
9 entering into agreements for cooperation between the law enforcement agency and
10 agencies in other jurisdictions for the investigation of such accidents.

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

1 **Section 1.** Chapter 289 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. In a county whose population is 100,000 or more, each law*
4 *enforcement agency shall adopt policies and procedures to govern*
5 *the investigation of motor vehicle accidents in which a peace*
6 *officer employed by the law enforcement agency is involved. The*



1 *policies and procedures must include, without limitation, a*
2 *requirement that if such a motor vehicle accident results in a fatal*
3 *injury to any person, the motor vehicle accident must be*
4 *investigated by a law enforcement agency other than the law*
5 *enforcement agency that employs the peace officer involved in the*
6 *accident unless:*

7 *(a) Another law enforcement agency does not have*
8 *comparable equipment and personnel to investigate the accident at*
9 *least as effectively as the law enforcement agency that employs the*
10 *peace officer involved in the motor vehicle accident;*

11 *(b) Another law enforcement agency is unavailable to*
12 *investigate the motor vehicle accident; or*

13 *(c) Investigation of the motor vehicle accident by another law*
14 *enforcement agency would delay the initiation of the investigation*
15 *such that the integrity of the accident scene and preservation and*
16 *collection of evidence may be jeopardized by such a delay.*

17 *2. This section does not prohibit a law enforcement agency in*
18 *a county whose population is 100,000 or more from entering into*
19 *agreements for cooperation with agencies in other jurisdictions for*
20 *the investigation of motor vehicle accidents in which a peace*
21 *officer of the law enforcement agency is involved.*

22 **Sec. 2.** This act becomes effective on July 1, 2013.

