

SENATE BILL NO. 188—SENATOR MANENDO

FEBRUARY 23, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to vehicle collisions.
(BDR 43-674)

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 motor vehicles; changing the word “accident”
to “crash” in reference to motor vehicles; and providing
other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law includes references to motor vehicle “accidents” in many sections, including, without limitation, sections dealing with the reporting of accidents, the investigation of an accident by certain law enforcement officers, the preparation of accident reports, the obligations of a party to an accident, the obligations of a garage or repair shop to the owner of a motor vehicle that has been involved in an accident, the requirements for the maintenance of liability insurance by the owner or operator of a motor vehicle, the obligations and duties resulting from a watercraft accident, the obligations of certain motor carriers involved in an accident, and the obligations of the operator of a tow car upon towing a motor vehicle involved in an accident. (NRS 480.360, 483.400, 484A.710, 484E.050, 484E.070, 484E.100, 485.185, 706.251, 706.4479) This bill changes the word “accident” in such sections to “crash.” In those sections of existing law where the term “accident” is intended to include both a motor vehicle crash and an accidental incident of some other type, the word “accident” is amended by adding “and motor vehicle crash” or “and crash.”

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

- 1 **Section 1.** NRS 480.360 is hereby amended to read as follows:
2 480.360 The duties of the personnel of the Nevada Highway
3 Patrol include, without limitation:



1 1. To police the public highways of this State, to enforce and to
2 aid in enforcing thereon all the traffic laws of the State of Nevada
3 and to enforce all other laws of this State when:

4 (a) In the apprehension or pursuit of an offender or suspected
5 offender;

6 (b) Making arrests for crimes committed in their presence or
7 upon or adjacent to the highways of this State; or

8 (c) Making arrests pursuant to a warrant in the officer's
9 possession or communicated to the officer.

10 2. To investigate ~~{accidents}~~ *crashes* on all primary and
11 secondary highways within the State of Nevada resulting in personal
12 injury, property damage or death, and to gather evidence to
13 prosecute any person guilty of any violation of the law contributing
14 to the happening of such ~~{an accident;}~~ *a crash*.

15 3. In conjunction with the Department of Motor Vehicles, to
16 enforce the provisions of chapters 365, 366, 408, 482 to 486,
17 inclusive, 487 and 706 of NRS.

18 4. To enforce the provisions of laws and regulations relating to
19 motor carriers, the safety of their vehicles and equipment, and their
20 transportation of hazardous materials and other cargo.

21 5. To maintain the repository for information concerning
22 hazardous materials in Nevada and to carry out its duties pursuant to
23 chapter 459 of NRS concerning the transportation of hazardous
24 materials.

25 6. To perform such other duties in connection with those
26 specified in this section as may be imposed by the Director.

27 **Sec. 2.** NRS 480.600 is hereby amended to read as follows:

28 480.600 The Nevada Highway Patrol and the Investigation
29 Division of the Department shall, within 7 days after receipt of a
30 written request of a person who claims to have sustained damages as
31 a result of ~~{an accident;}~~ *a crash*, or the person's legal representative
32 or insurer, and upon receipt of a reasonable fee to cover the cost of
33 reproduction, provide the person, legal representative or insurer, as
34 applicable, with a copy of the ~~{accident}~~ *crash* report and all
35 statements by witnesses and photographs in the possession or under
36 the control of the Nevada Highway Patrol or the Investigation
37 Division that concern the ~~{accident;}~~ *crash*, unless:

38 1. The materials are privileged or confidential pursuant to a
39 specific statute; or

40 2. The ~~{accident}~~ *crash* involved:

41 (a) The death or substantial bodily harm of a person;

42 (b) Failure to stop at the scene of ~~{an accident;}~~ *a crash*; or

43 (c) The commission of a felony.



Sec. 3. NRS 481.063 is hereby amended to read as follows:

1. The Director may charge and collect reasonable fees for official publications of the Department and from persons making use of files and records of the Department or its various divisions for a private purpose. All money so collected must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. Except as otherwise provided in subsection 6, the Director may release personal information, except a photograph, from a file or record relating to the driver's license, identification card, or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the Director.

3. Except as otherwise provided in subsections 2 and 4, the Director shall not release to any person who is not a representative of the Division of Welfare and Supportive Services of the Department of Health and Human Services or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415 or 253.220, who is not authorized to transact insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

➤ When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable, provide the requester with the requested information if the requester officially reports that the motor vehicle bearing that license plate was used in a violation of NRS 205.240, 205.345, 205.380 or 205.445.

4. If a person is authorized to obtain such information pursuant to a contract entered into with the Department and if such information is requested for the purpose of an advisory notice



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1 relating to a motor vehicle or the recall of a motor vehicle or for the
2 purpose of providing information concerning the history of a
3 vehicle, the Director may release:

4 (a) A list which includes license plate numbers combined with
5 any other information in the records or files of the Department; or

6 (b) The name, address, telephone number or any other
7 personally identifiable information if the information is requested by
8 the presentation of a license plate number.

9 5. Except as otherwise provided in subsections 2, 4 and 6 and
10 NRS 483.294, 483.855 and 483.937, the Director shall not release
11 any personal information from a file or record relating to a driver's
12 license, identification card, or title or registration of a vehicle.

13 6. Except as otherwise provided in paragraph (a) and
14 subsection 7, if a person or governmental entity provides a
15 description of the information requested and its proposed use and
16 signs an affidavit to that effect, the Director may release any
17 personal information, except a photograph, from a file or record
18 relating to a driver's license, identification card, or title or
19 registration of a vehicle for use:

20 (a) By any governmental entity, including, but not limited to,
21 any court or law enforcement agency, in carrying out its functions,
22 or any person acting on behalf of a federal, state or local
23 governmental agency in carrying out its functions. The personal
24 information may include a photograph from a file or record relating
25 to a driver's license, identification card, or title or registration of a
26 vehicle.

27 (b) In connection with any civil, criminal, administrative or
28 arbitration proceeding before any federal or state court, regulatory
29 body, board, commission or agency, including, but not limited to,
30 use for service of process, investigation in anticipation of litigation,
31 and execution or enforcement of judgments and orders, or pursuant
32 to an order of a federal or state court.

33 (c) In connection with matters relating to:

- 34 (1) The safety of drivers of motor vehicles;
35 (2) Safety and thefts of motor vehicles;
36 (3) Emissions from motor vehicles;
37 (4) Alterations of products related to motor vehicles;
38 (5) An advisory notice relating to a motor vehicle or the
39 recall of a motor vehicle;
40 (6) Monitoring the performance of motor vehicles;
41 (7) Parts or accessories of motor vehicles;
42 (8) Dealers of motor vehicles; or
43 (9) Removal of nonowner records from the original records
44 of motor vehicle manufacturers.



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(d) By any insurer, self-insurer or organization that provides assistance or support to an insurer or self-insurer or its agents, employees or contractors, in connection with activities relating to the rating, underwriting or investigation of claims or the prevention of fraud.

(e) In providing notice to the owners of vehicles that have been towed, repossessed or impounded.

(f) By an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license who is employed by or has applied for employment with the employer.

(g) By a private investigator, private patrol officer or security consultant who is licensed pursuant to chapter 648 of NRS, for any use permitted pursuant to this section.

(h) By a reporter or editorial employee who is employed by or affiliated with any newspaper, press association or commercially operated, federally licensed radio or television station for a journalistic purpose. The Department may not make any inquiries regarding the use of or reason for the information requested other than whether the information will be used for a journalistic purpose.

(i) In connection with an investigation conducted pursuant to NRS 253.0415 or 253.220.

(j) In activities relating to research and the production of statistical reports, if the personal information will not be published or otherwise redisclosed, or used to contact any person.

7. Except as otherwise provided in paragraph (j) of subsection 6, the Director shall not provide personal information to individuals or companies for the purpose of marketing extended vehicle warranties, and a person who requests and receives personal information may sell or disclose that information only for a use permitted pursuant to subsection 6. Such a person shall keep and maintain for 5 years a record of:

(a) Each person to whom the information is provided; and

(b) The purpose for which that person will use the information.

➔ The record must be made available for examination by the Department at all reasonable times upon request.

8. Except as otherwise provided in subsection 2, the Director may deny any use of the files and records if the Director reasonably believes that the information taken may be used for an unwarranted invasion of a particular person's privacy.

9. Except as otherwise provided in NRS 485.316, the Director shall not allow any person to make use of information retrieved from the system created pursuant to NRS 485.313 for a private purpose and shall not in any other way release any information retrieved from that system.



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10. The Director shall not release any information relating to legal presence or any other information relating to or describing immigration status, nationality or citizenship from a file or record relating to a request for or the issuance of a license, identification card or title or registration of a vehicle to any person or to any federal, state or local governmental entity for any purpose relating to the enforcement of immigration laws.

11. The Director shall adopt such regulations as the Director deems necessary to carry out the purposes of this section. In addition, the Director shall, by regulation, establish a procedure whereby a person who is requesting personal information may establish an account with the Department to facilitate the person's ability to request information electronically or by written request if the person has submitted to the Department proof of employment or licensure, as applicable, and a signed and notarized affidavit acknowledging that the person:

(a) Has read and fully understands the current laws and regulations regarding the manner in which information from the Department's files and records may be obtained and the limited uses which are permitted;

(b) Understands that any sale or disclosure of information so obtained must be in accordance with the provisions of this section;

(c) Understands that a record will be maintained by the Department of any information he or she requests; and

(d) Understands that a violation of the provisions of this section is a criminal offense.

12. It is unlawful for any person to:

(a) Make a false representation to obtain any information from the files or records of the Department.

(b) Knowingly obtain or disclose any information from the files or records of the Department for any use not permitted by the provisions of this chapter.

13. As used in this section:

(a) "Information relating to legal presence" means information that may reveal whether a person is legally present in the United States, including, without limitation, whether the driver's license that a person possesses is a driver authorization card, whether the person applied for a driver's license pursuant to NRS 483.290 or 483.291 and the documentation used to prove name, age and residence that was provided by the person with his or her application for a driver's license.

(b) "Personal information" means information that reveals the identity of a person, including, without limitation, his or her photograph, social security number, individual taxpayer identification number, driver's license number, identification card



1 number, name, address, telephone number or information regarding
2 a medical condition or disability. The term does not include the zip
3 code of a person when separate from his or her full address,
4 information regarding vehicular ~~accidents~~ *crashes* or driving
5 violations in which he or she has been involved or other information
6 otherwise affecting his or her status as a driver.

7 (c) "Vehicle" includes, without limitation, an off-highway
8 vehicle as defined in NRS 490.060.

9 **Sec. 4.** NRS 482.276 is hereby amended to read as follows:

10 482.276 Notwithstanding any provision of this chapter to the
11 contrary:

12 1. Any agricultural user who wishes to obtain a license plate
13 and decal to operate a farm tractor or self-propelled implement of
14 husbandry on the highways of this State may submit an application
15 to the Motor Carrier Division of the Department. Each application
16 must be made upon the appropriate form furnished by the
17 Department. The application must include a nonrefundable fee of
18 \$20.50 and evidence satisfactory to the Department that the
19 agricultural user is the holder of a policy of liability insurance which
20 provides at least \$300,000 in coverage for bodily injury and
21 property damage resulting from any single ~~accident~~ *crash* caused
22 by the agricultural user while operating the farm tractor or self-
23 propelled implement of husbandry. As soon as practicable after
24 receiving the application, fee and evidence of insurance, the
25 Department shall issue the license plate and decal to the agricultural
26 user to affix to the farm tractor or self-propelled implement of
27 husbandry. A decal issued pursuant to this subsection expires on
28 December 31 of the year in which the Department issues the decal.
29 The license plate and decal are not transferable and must be
30 surrendered or returned to the Department within 60 days after:

31 (a) A transfer of ownership or interest in the farm tractor or self-
32 propelled implement of husbandry occurs; or

33 (b) The decal expires pursuant to this subsection and the
34 agricultural user fails to submit an application for renewal pursuant
35 to subsection 2.

36 2. An application for the renewal of a license plate and decal
37 issued pursuant to subsection 1 must be made upon the appropriate
38 form furnished by the Department. The application for renewal must
39 include a nonrefundable fee of \$10 and evidence satisfactory to the
40 Department that the agricultural user is the holder of a policy of
41 liability insurance specified in subsection 1. As soon as practicable
42 after receiving the application for renewal, fee and evidence of
43 insurance, the Department shall issue a new decal to affix to the
44 license plate. A decal issued pursuant to this subsection expires on
45 December 31 of the year in which the Department issues the decal.



3. A license plate issued pursuant to subsection 1 must be displayed on the farm tractor or self-propelled implement of husbandry in such a manner that the license plate is easily visible from the rear of the farm tractor or self-propelled implement of husbandry. If the license plate is lost or destroyed, the Department may issue a replacement plate upon the payment of a fee of 50 cents. If the decal is lost or destroyed, the Department may, upon the payment of the fee specified in subsection 2, issue a replacement decal for the farm tractor or self-propelled implement of husbandry.

4. Notwithstanding any provision of chapter 445B of NRS to the contrary, an agricultural user is not required to obtain a certificate of compliance or vehicle inspection report concerning the control of emissions from a farm tractor or self-propelled implement of husbandry before obtaining a license plate and decal for or operating the farm tractor or self-propelled implement of husbandry pursuant to this section.

5. As used in this section, "agricultural user" means any person who owns or operates a farm tractor or self-propelled implement of husbandry specified in subsection 1 for an agricultural use. As used in this subsection, "agricultural use" has the meaning ascribed to it in NRS 361A.030.

Sec. 5. NRS 482.305 is hereby amended to read as follows:

482.305 1. The short-term lessor of a motor vehicle who permits the short-term lessee to operate the vehicle upon the highways, and who has not complied with NRS 482.295 insuring or otherwise covering the short-term lessee against liability arising out of his or her negligence in the operation of the rented vehicle in limits of not less than \$15,000 for any one person injured or killed and \$30,000 for any number more than one, injured or killed in any one ~~accident,~~ **crash**, and against liability of the short-term lessee for property damage in the limit of not less than \$10,000 for one ~~accident,~~ **crash**, is jointly and severally liable with the short-term lessee for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of any person operating the vehicle by or with the permission of the short-term lessee, except that the foregoing provisions do not confer any right of action upon any passenger in the rented vehicle against the short-term lessor. This section does not prevent the introduction as a defense of contributory negligence to the extent to which this defense is allowed in other cases.

2. The policy of insurance, surety bond or deposit of cash or securities inures to the benefit of any person operating the vehicle by or with the permission of the short-term lessee in the same manner, under the same conditions and to the same extent as to the short-term lessee.



3. The insurance policy, surety bond or deposit of cash or securities need not cover any liability incurred by the short-term lessee of any vehicle to any passenger in the vehicle; but the short-term lessor before delivering the vehicle shall give to the short-term lessee a written notice of the fact that such a policy, bond or deposit does not cover the liability which the short-term lessee may incur on account of his or her negligence in the operation of the vehicle to any passenger in the vehicle.

4. When any suit or action is brought against the short-term lessor under this section, the judge before whom the case is pending shall hold a preliminary hearing in the absence of the jury to determine whether the short-term lessor has provided insurance or a surety bond or deposit of cash or securities covering the short-term lessee as required by subsection 1. Whenever it appears that the short-term lessor has provided insurance or a surety bond or deposit of cash or securities covering the short-term lessee in the required amount, the judge shall dismiss as to the short-term lessor the action brought under this section.

Sec. 6. NRS 482.31525 is hereby amended to read as follows:
482.31525 "Estimated time for replacement" means the number of hours of labor, or a fraction thereof, needed to replace the damaged parts of a passenger car as set forth in a guide for estimating damage caused by a ~~collision~~ crash generally used in the business of repair of cars and commonly known as a "crash book."

Sec. 7. NRS 482.31535 is hereby amended to read as follows:
482.31535 1. Except as otherwise provided in NRS 482.3154, a short-term lessor and a short-term lessee of a passenger car may agree that the lessee will be responsible for:

(a) Physical damage to the car, up to and including its fair market value, regardless of the cause of the damage.

(b) Mechanical damage to the car, up to and including its fair market value, resulting from:

(1) A ~~collision~~ crash;

(2) An impact; or

(3) Any other type of incident,

↳ that is caused by a deliberate or negligent act or omission on the part of the lessee.

(c) Loss resulting from theft of the car, up to and including its fair market value, except that the lessee is presumed to have no liability for any loss resulting from theft if an authorized driver:

(1) Has possession of the ignition key furnished by the lessor or establishes that the ignition key furnished by the lessor was not in the car at the time of the theft; and



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(2) Files an official report of the theft with an appropriate law enforcement agency within 24 hours after learning of the theft and cooperates with the lessor and the law enforcement agency in providing information concerning the theft.

➔ The lessor may rebut the presumption set forth in this paragraph by establishing that an authorized driver committed or aided and abetted the commission of the theft.

(d) Physical damage to the car, up to and including its fair market value, resulting from vandalism occurring after or in connection with the theft of the car, except that the lessee has no liability for any damage resulting from vandalism if the lessee has no liability for theft pursuant to paragraph (c).

(e) Physical damage to the car and loss of use of the car, up to \$2,500, resulting from vandalism not related to the theft of the car and not caused by the lessee.

(f) Loss of use of the car if the lessee is liable for damage or loss.

(g) Actual charges for towing and storage and impound fees paid by the lessor if the lessee is liable for damage or loss.

(h) An administrative charge that includes the cost of appraisal and other costs incident to the damage, loss, loss of use, repair or replacement of the car.

2. For the purposes of this section, the fair market value must be determined in the customary market for the sale of the leased passenger car.

Sec. 8. NRS 482.3154 is hereby amended to read as follows:

482.3154 1. The total amount of the short-term lessee's liability to the short-term lessor resulting from damage to a leased passenger car must not exceed the sum of the following:

(a) The estimated cost for parts that the short-term lessor would have to pay to replace damaged parts. Any discount, price reduction or adjustment received by the lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the short-term lessee.

(b) The estimated cost of labor to replace damaged parts of the passenger car, which must not exceed the product of:

(1) The rate of labor usually paid by the lessor to replace parts of the type that were damaged; and

(2) The estimated time for replacement.

➔ Any discount, price reduction or adjustment received by the short-term lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the lessee.

(c) The estimated cost of labor to repair damaged parts of the passenger car, which must not exceed the lesser of:



(1) The product of the rate for labor usually paid by the short-term lessor to repair parts of the type that were damaged and the estimated time for repair; or

(2) The sum of the costs for estimated labor and parts determined pursuant to paragraphs (a) and (b) to replace the same parts.

Any discount, price reduction or adjustment received by the short-term lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the lessee.

(d) Except as otherwise provided in subsection 2, the loss of use of the leased passenger car, which must not exceed the product of:

(1) The rate for the car stated in the short-term lessee's lease, excluding all optional charges; and

(2) The total of the estimated time for replacement and the estimated time for repair. For the purpose of converting the estimated time for repair into the same unit of time in which the rate of the lease is expressed, a day shall be deemed to consist of 8 hours.

(e) Actual charges for towing and storage and impound fees paid by the short-term lessor.

2. Under any of the circumstances described in NRS 482.31555, the short-term lessor's loss of use of the passenger car must not exceed the product of:

(a) The rate for the car stated in the short-term lessee's lease, excluding all optional charges; and

(b) The period from the date of ~~an accident~~ a crash to the date the car is ready to be returned to service if the lessor uses his or her best efforts to repair and return the car to service as soon as practicable.

3. An administrative charge pursuant to paragraph (h) of subsection 1 of NRS 482.31535 must not exceed:

(a) Fifty dollars if the total estimated cost for parts and labor is more than \$100 and less than or equal to \$500.

(b) One hundred dollars if the total estimated cost for parts and labor is more than \$500 and less than or equal to \$1,500.

(c) One hundred and fifty dollars if the total estimated cost for parts and labor is more than \$1,500.

No administrative charge may be imposed if the total estimated cost of parts and labor is \$100 or less.

Sec. 9. NRS 482.380 is hereby amended to read as follows:

482.380 1. The Department may issue special motor vehicle license plates from year to year to a person who has resided in the State of Nevada for a period of 6 months preceding the date of



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1 application for the license plates and who owns a motor vehicle
2 which is a model manufactured during or before 1915.

3 2. To administer the provisions of this section, the Department
4 may recognize the Horseless Carriage Club of Nevada as presently
5 constituted as the official Horseless Carriage Club of Nevada and to
6 designate and appoint one member of the Board of Directors of the
7 Horseless Carriage Club of Nevada to act as and be an ex officio
8 deputy of the Department and to perform the duties and functions
9 prescribed by this section without compensation, per diem
10 allowance or travel expenses.

11 3. An applicant for license plates pursuant to the provisions of
12 this section must:

13 (a) Fill out and sign an application for license plates on a form
14 prescribed and furnished by the ex officio deputy for licensing
15 antique motor vehicles.

16 (b) Present evidence of the applicant's eligibility for license
17 plates by showing, to the satisfaction of the ex officio deputy,
18 residence in this State for 6 months preceding the date of application
19 and ownership of an antique motor vehicle which is a model
20 manufactured during or before 1915.

21 (c) Present a certificate of inspection issued by a committee, or
22 member thereof, appointed by the Board of Directors of the
23 Horseless Carriage Club of Nevada verifying that the antique motor
24 vehicle is in safe and satisfactory mechanical condition, is in good
25 condition and state of repair, is well equipped and is covered by a
26 policy of insurance covering public liability and property damage
27 written by an insurance company qualified to do business in this
28 State with limits of not less than \$10,000 for each person nor less
29 than \$20,000 for each ~~faceident,~~ **crash**, and not less than \$5,000 for
30 property damage and which otherwise meets the requirements of
31 chapter 485 of NRS.

32 (d) Exhibit a valid driver's license authorizing the applicant to
33 drive a motor vehicle on the highways of this State.

34 (e) Pay the fee prescribed by the laws of this State for the
35 operation of a passenger car, without regard to the weight or the
36 capacity for passengers.

37 (f) Pay such other fee as prescribed by the Board of Directors of
38 the Horseless Carriage Club of Nevada necessary to defray all cost
39 of manufacture, transportation and issuance of the special license
40 plates.

41 4. The ex officio deputy for licensing antique motor vehicles
42 shall each calendar year issue license plates, approved by the
43 Department, for each motor vehicle owned by an applicant who
44 meets the requirements of subsection 3, subject to the following
45 conditions:



(a) The license plates must be numbered and issued consecutively each year beginning with "Horseless Carriage 1."

(b) The license plates must conform, as nearly as possible, to the color and type of license plate issued in this State for regular passenger cars.

(c) The special license plates issued pursuant to this section must be specified, procured, transported and issued solely at the expense and cost of the Horseless Carriage Club of Nevada and without any expense to the State of Nevada.

5. The ex officio deputy for licensing antique motor vehicles shall pay quarterly to the Department the prescribed fee as provided in paragraph (e) of subsection 3. The fees so received must be used, disbursed or deposited by the Department in the same manner as provided by law for other fees for registration and licensing. All other fees collected to defray expenses must be retained by the Board of Directors of the Horseless Carriage Club of Nevada.

6. The license plates obtained pursuant to this section are in lieu of the license plates otherwise provided for in this chapter and are valid for the calendar year in which they are issued.

7. The Department shall charge and collect the following fees for the issuance of these license plates, which fees are in addition to all other license fees and applicable taxes:

(a) For the first issuance\$35

(b) For a renewal sticker10

Sec. 10. NRS 483.2521 is hereby amended to read as follows:

483.2521 1. The Department may issue a driver's license to a person who is 16 or 17 years of age if the person:

(a) Except as otherwise provided in subsection 2, has completed:

(1) A course in automobile driver education pursuant to NRS 389.090; or

(2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090;

(b) Has at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness;

(c) Submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed:

(1) By his or her parent or legal guardian; or



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(2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,

↳ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) Submits to the Department:

(1) A written statement signed by the principal of the public school in which the person is enrolled or by a designee of the principal and which is provided to the person pursuant to NRS 392.123;

(2) A written statement signed by the parent or legal guardian of the person which states that the person is excused from compulsory attendance pursuant to NRS 392.070;

(3) A copy of the person's high school diploma or certificate of attendance; or

(4) A copy of the person's certificate of general educational development or an equivalent document;

(e) Has not been found to be responsible for a motor vehicle ~~faceident~~ crash during the 6 months before applying for the driver's license;

(f) Has not been convicted of a moving traffic violation or a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and

(g) Has held an instruction permit for not less than 6 months before applying for the driver's license.

2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1.

Sec. 11. NRS 483.400 is hereby amended to read as follows:

483.400 1. The Department shall maintain files of applications for licenses. Such files shall contain:

(a) All applications denied and on each thereof note the reasons for such denial.

(b) All applications granted.

(c) The name of every licensee whose license has been suspended or revoked by the Department and after each such name note the reasons for such action.

2. The Department shall also file all ~~faceident~~ crash reports and abstracts of court records of convictions received by it under the laws of this State, and in connection therewith maintain convenient records or make suitable notations in order that an individual record



1 of each licensee showing the convictions of such licensee and the
2 traffic ~~accidents~~ *crashes* in which the licensee was involved shall
3 be readily ascertainable and available for the consideration of the
4 Department upon any application for renewal of license and at other
5 suitable times.

6 **Sec. 12.** NRS 483.460 is hereby amended to read as follows:

7 483.460 1. Except as otherwise provided by specific statute,
8 the Department shall revoke the license, permit or privilege of any
9 driver upon receiving a record of his or her conviction of any of the
10 following offenses, when that conviction has become final, and
11 the driver is not eligible for a license, permit or privilege to drive for
12 the period indicated:

13 (a) For a period of 3 years if the offense is:

14 (1) A violation of subsection 6 of NRS 484B.653.

15 (2) A third or subsequent violation within 7 years of NRS
16 484C.110 or 484C.120.

17 (3) A violation of NRS 484C.110 or 484C.120 resulting in a
18 felony conviction pursuant to NRS 484C.400 or 484C.410.

19 (4) A violation of NRS 484C.430 or a homicide resulting
20 from driving or being in actual physical control of a vehicle while
21 under the influence of intoxicating liquor or a controlled substance
22 or resulting from any other conduct prohibited by NRS 484C.110,
23 484C.130 or 484C.430.

24 ➤ The period during which such a driver is not eligible for a
25 license, permit or privilege to drive must be set aside during any
26 period of imprisonment and the period of revocation must resume
27 when the Department is notified pursuant to NRS 209.517 or
28 213.12185 that the person has completed the period of
29 imprisonment or that the person has been placed on residential
30 confinement or parole.

31 (b) For a period of 1 year if the offense is:

32 (1) Any other manslaughter, including vehicular
33 manslaughter as described in NRS 484B.657, resulting from the
34 driving of a motor vehicle or felony in the commission of which a
35 motor vehicle is used, including the unlawful taking of a motor
36 vehicle.

37 (2) Failure to stop and render aid as required pursuant to the
38 laws of this State in the event of a motor vehicle ~~accident~~ *crash*
39 resulting in the death or bodily injury of another.

40 (3) Perjury or the making of a false affidavit or statement
41 under oath to the Department pursuant to NRS 483.010 to 483.630,
42 inclusive, or pursuant to any other law relating to the ownership or
43 driving of motor vehicles.

44 (4) Conviction, or forfeiture of bail not vacated, upon three
45 charges of reckless driving committed within a period of 12 months.



(5) A second violation within 7 years of NRS 484C.110 or 484C.120 and the driver is not eligible for a restricted license during any of that period.

(6) A violation of NRS 484B.550.

(c) For a period of 90 days, if the offense is a first violation within 7 years of NRS 484C.110 or 484C.120.

2. The Department shall revoke the license, permit or privilege of a driver convicted of violating NRS 484C.110 or 484C.120 who fails to complete the educational course on the use of alcohol and controlled substances within the time ordered by the court and shall add a period of 90 days during which the driver is not eligible for a license, permit or privilege to drive.

3. When the Department is notified by a court that a person who has been convicted of a first violation within 7 years of NRS 484C.110 has been permitted to enter a program of treatment pursuant to NRS 484C.320, the Department shall reduce by one-half the period during which the person is not eligible for a license, permit or privilege to drive, but shall restore that reduction in time if notified that the person was not accepted for or failed to complete the treatment.

4. The Department shall revoke the license, permit or privilege to drive of a person who is required to install a device pursuant to NRS 484C.460 but who operates a motor vehicle without such a device:

(a) For 3 years, if it is his or her first such offense during the period of required use of the device.

(b) For 5 years, if it is his or her second such offense during the period of required use of the device.

5. A driver whose license, permit or privilege is revoked pursuant to subsection 4 is not eligible for a restricted license during the period set forth in paragraph (a) or (b) of that subsection, whichever applies.

6. In addition to any other requirements set forth by specific statute, if the Department is notified that a court has ordered the revocation, suspension or delay in the issuance of a license pursuant to title 5 of NRS, NRS 176.064, 206.330 or 392.148, chapters 484A to 484E, inclusive, of NRS or any other provision of law, the Department shall take such actions as are necessary to carry out the court's order.

7. As used in this section, "device" has the meaning ascribed to it in NRS 484C.450.

Sec. 13. NRS 483.470 is hereby amended to read as follows:

483.470 1. The Department may suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:



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1 (a) Has committed an offense for which mandatory revocation
2 of license is required upon conviction;

3 (b) Has been involved as a driver in any ~~facecident~~ crash
4 resulting in the death or personal injury of another or serious
5 property damage;

6 (c) Is physically or mentally incompetent to drive a motor
7 vehicle;

8 (d) Has permitted an unlawful or fraudulent use of his or her
9 license;

10 (e) Has committed an offense in another state which if
11 committed in this State would be grounds for suspension or
12 revocation; or

13 (f) Has failed to comply with the conditions of issuance of a
14 restricted license.

15 2. Upon suspending the license of any person as authorized in
16 this section, the Department shall immediately notify the person in
17 writing, and upon his or her request shall afford the person an
18 opportunity for a hearing as early as practical within 20 days after
19 receipt of the request in the county wherein the person resides unless
20 the person and the Department agree that the hearing may be held in
21 some other county. The Administrator, or an authorized agent
22 thereof, may issue subpoenas for the attendance of witnesses and the
23 production of relevant books and papers, and may require a
24 reexamination of the licensee in connection with the hearing. Upon
25 the hearing, the Department shall either rescind its order of
26 suspension or, for good cause, extend the suspension of the license
27 or revoke it.

28 **Sec. 14.** NRS 483.740 is hereby amended to read as follows:

29 483.740 1. A person operating a school for training drivers
30 shall maintain liability insurance on motor vehicles used in driving
31 instruction, insuring the liability of the driving school, the
32 driving instructor and any person taking instruction, in at least the
33 following amounts:

34 (a) For bodily injury to or death of one person in any one
35 ~~facecident~~ crash, \$100,000;

36 (b) For bodily injury to or death of two or more persons in any
37 one ~~facecident~~ crash, \$300,000; and

38 (c) For damage to property of others in any one ~~facecident~~
39 crash, \$50,000.

40 2. Evidence of the insurance coverage in the form of a
41 certificate from the insurance carrier must be filed with the
42 Department. The certificate must stipulate that the insurance may
43 not be cancelled except upon 10 days' written notice to the
44 Department.



Sec. 15. NRS 483.900 is hereby amended to read as follows:

483.900 The purposes of NRS 483.900 to 483.940, inclusive, are to implement the Commercial Motor Vehicle Safety Act of 1986, as amended, 49 U.S.C. chapter 313 (§§ 31301 et seq.), and reduce or prevent commercial motor vehicle ~~accidents,~~ *crashes*, fatalities and injuries by:

1. Permitting drivers of commercial motor vehicles to hold only one license;

2. Providing for the disqualification of drivers of commercial motor vehicles who have committed certain serious traffic violations or other specified offenses;

3. Strengthening the licensing and testing standards for drivers of commercial motor vehicles; and

4. Ensuring that drivers of commercial motor vehicles carrying hazardous materials are qualified to operate a commercial motor vehicle in accordance with all regulations pertaining to the transportation of hazardous materials and have the skills and knowledge necessary to respond appropriately to any emergency arising out of the transportation of hazardous materials.

Sec. 16. NRS 484A.210 is hereby amended to read as follows:

484A.210 "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to *the* danger of ~~collision~~ *a crash* unless one grants precedence to the other.

Sec. 17. NRS 484A.400 is hereby amended to read as follows:

484A.400 1. The provisions of chapters 484A to 484E, inclusive, of NRS are applicable and uniform throughout this State on all highways to which the public has a right of access or to which persons have access as invitees or licensees.

2. Except as otherwise provided in subsection 3 and unless otherwise provided by specific statute, any local authority may enact by ordinance traffic regulations which cover the same subject matter as the various sections of chapters 484A to 484E, inclusive, of NRS if the provisions of the ordinance are not in conflict with chapters 484A to 484E, inclusive, of NRS, or regulations adopted pursuant thereto. It may also enact by ordinance regulations requiring the registration and licensing of bicycles.

3. A local authority shall not enact an ordinance:

(a) Governing the registration of vehicles and the licensing of drivers;

(b) Governing the duties and obligations of persons involved in traffic ~~accidents,~~ *crashes*, other than the duties to stop, render aid and provide necessary information;



(c) Providing a penalty for an offense for which the penalty prescribed by chapters 484A to 484E, inclusive, of NRS is greater than that imposed for a misdemeanor; or

(d) Requiring a permit for a vehicle, or to operate a vehicle, on a highway in this State.

4. No person convicted or adjudged guilty or guilty but mentally ill of a violation of a traffic ordinance may be charged or tried in any other court in this State for the same offense.

Sec. 18. 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~~ crash 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~~ crash 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, or 706 of NRS in connection with the ~~accident~~ crash.

Sec. 19. NRS 484A.710 is hereby amended to read as follows:

484A.710 1. Any peace officer may, without a warrant, arrest a person if the officer has reasonable cause for believing that the person has committed any of the following offenses:

(a) Homicide by vehicle;

(b) A violation of NRS 484C.110 or 484C.120;

(c) A violation of NRS 484C.430;

(d) A violation of NRS 484C.130;

(e) Failure to stop, give information or render reasonable assistance in the event of ~~an accident~~ a crash resulting in death or personal injuries in violation of NRS 484E.010 or 484E.030;

(f) Failure to stop or give information in the event of ~~an accident~~ a crash resulting in damage to a vehicle or to other property legally upon or adjacent to a highway in violation of NRS 484E.020 or 484E.040;

(g) Reckless driving;

(h) Driving a motor vehicle on a highway or on premises to which the public has access at a time when the person's driver's license has been cancelled, revoked or suspended; or

(i) Driving a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to the person pursuant to NRS 483.490.

2. Whenever any person is arrested as authorized in this section, the person must be taken without unnecessary delay before the proper magistrate as specified in NRS 484A.750, except that in the case of either of the offenses designated in paragraphs (f) and (g)



1 of subsection 1, a peace officer has the same discretion as is
2 provided in other cases in NRS 484A.730.

3 **Sec. 20.** NRS 484A.740 is hereby amended to read as follows:

4 484A.740 1. All of the provisions of chapters 484A to 484E,
5 inclusive, of NRS apply both to residents and nonresidents of this
6 State, except the special provisions in this section, which shall
7 govern in respect to nonresidents.

8 2. A peace officer at the scene of a traffic ~~faceident~~ crash may
9 arrest without a warrant any driver of a vehicle who is a nonresident
10 of this State and who is involved in the ~~faceident~~ crash when,
11 based upon personal investigation, the peace officer has reasonable
12 cause for believing that the person has committed any offense under
13 the provisions of chapters 484A to 484E, inclusive, of NRS in
14 connection with the ~~faceident~~ crash, and if the peace officer has
15 reasonable cause for believing that the person will disregard a
16 written promise to appear in court.

17 3. Whenever any person is arrested under the provisions of this
18 section, the person shall be taken without unnecessary delay before
19 the proper magistrate, as specified in NRS 484A.750.

20 **Sec. 21.** NRS 484B.290 is hereby amended to read as follows:

21 484B.290 1. A person who is blind and who is on foot and
22 using a service animal or carrying a cane or walking stick white in
23 color, or white tipped with red, has the right-of-way when entering
24 or when on a highway, street or road of this State. Any driver of a
25 vehicle who approaches or encounters such a person shall yield the
26 right-of-way, come to a full stop, if necessary, and take precautions
27 before proceeding to avoid ~~faceident~~ a crash or injury to the
28 person.

29 2. Any person who violates subsection 1 shall be punished by
30 imprisonment in the county jail for not more than 6 months or by a
31 fine of not less than \$100 nor more than \$500, or by both fine and
32 imprisonment.

33 **Sec. 22.** NRS 484B.443 is hereby amended to read as follows:

34 484B.443 1. Whenever any police officer finds a vehicle
35 standing upon a highway in violation of any of the provisions of
36 chapters 484A to 484E, inclusive, of NRS, the officer may move the
37 vehicle, or require the driver or person in charge of the vehicle to
38 move it, to a position off the paved, improved or main-traveled part
39 of the highway.

40 2. Whenever any police officer finds a vehicle unattended or
41 disabled upon any highway, bridge or causeway, or in any tunnel,
42 where the vehicle constitutes an obstruction to traffic or interferes
43 with the normal flow of traffic, the officer may provide for the
44 immediate removal of the vehicle.



3. Any police officer may, subject to the requirements of subsection 4, remove any vehicle or part of a vehicle found on the highway, or cause it to be removed, to a garage or other place of safekeeping if:

(a) The vehicle has been involved in ~~an accident~~ *a crash* and is so disabled that its normal operation is impossible or impractical and the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle;

(b) The person driving or in actual physical control of the vehicle is arrested for any alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay; or

(c) The person in charge of the vehicle is unable to provide for its custody or removal within:

(1) Twenty-four hours after abandoning the vehicle on any freeway, United States highway or other primary arterial highway.

(2) Seventy-two hours after abandoning the vehicle on any other highway.

4. Unless a different course of action is necessary to preserve evidence of a criminal offense, a police officer who wishes to have a vehicle or part of a vehicle removed from a highway pursuant to subsection 3 shall, in accordance with any applicable protocol such as a rotational schedule regarding the selection and use of towing services, cause the vehicle or part of a vehicle to be removed by a tow car operator. The tow car operator shall, to the extent practicable and using the shortest and most direct route, remove the vehicle or part of a vehicle to the garage of the tow car operator unless directed otherwise by the police officer. The tow car operator is liable for any loss of or damage to the vehicle or its contents that occurs while the vehicle is in the possession or control of the tow car operator.

Sec. 23. NRS 484B.621 is hereby amended to read as follows:

484B.621 1. The State Route 159 Safety Speed Zone is hereby established.

2. Within the State Route 159 Safety Speed Zone, the Department of Transportation, in cooperation with other governmental entities whose jurisdiction includes this area, shall ensure that:

(a) The maximum speed that is allowed for vehicular traffic will be set by the Director of the Department of Transportation at a level which takes into consideration the safety and protection of the residents of and visitors to the Red Rock Canyon National Conservation Area. In setting that maximum speed, the Director of



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the Department of Transportation shall consider, without limitation, the following factors:

- (1) Activity of bicycles and pedestrians in the area.
- (2) Protection of the natural environment.
- (3) History of ~~accidents and~~ crashes in the area.
- (4) Recreational activities conducted in the area.
- (5) The evaluation and use of measures of traffic calming which will support the maximum speed that is set.
- (6) The ability of law enforcement agencies to enforce effectively the maximum speed that is set.

(b) Adequate signage or other forms of notice are evaluated and installed to support and enhance the maximum speed that is set by the Director of the Department of Transportation, as described in paragraph (a).

3. The State Route 159 Safety Speed Zone consists of:

- (a) Any portion of State Route 159 that is within the Red Rock Canyon National Conservation Area;
- (b) Any portion of State Route 159 that abuts or is immediately adjacent to the Red Rock Canyon National Conservation Area; and
- (c) Any portion of State Route 159 that has been designated as a Scenic Byway or State Scenic Byway.

4. As used in this section:

(a) "Scenic Byway" and "State Scenic Byway" have the meanings ascribed to them in the National Scenic Byways Program, as issued by the Federal Highway Administration in 60 Federal Register 26,759 on May 18, 1995.

(b) "Traffic calming" means a combination of measures and techniques intended to:

- (1) Reduce vehicular speeds;
- (2) Promote safe and pleasant conditions for motorists, bicyclists, pedestrians and residents;
- (3) Improve the environment and usability of roadways;
- (4) Improve real and perceived safety for nonmotorized traffic; or

(5) Any combination of subparagraphs (1) to (4), inclusive.

Sec. 24. NRS 484C.150 is hereby amended to read as follows:

484C.150 1. Any person who drives or is in actual physical control of a vehicle on a highway or on premises to which the public has access shall be deemed to have given his or her consent to a preliminary test of his or her breath to determine the concentration of alcohol in his or her breath when the test is administered at the direction of a police officer at the scene of a vehicle ~~accident or collision~~ **crash** or where the police officer stops a vehicle, if the officer has reasonable grounds to believe that the person to be tested was:



1 (a) Driving or in actual physical control of a vehicle while under
2 the influence of intoxicating liquor or a controlled substance; or

3 (b) Engaging in any other conduct prohibited by NRS 484C.110,
4 484C.120, 484C.130 or 484C.430.

5 2. If the person fails to submit to the test, the officer shall seize
6 the license or permit of the person to drive as provided in NRS
7 484C.220 and arrest the person and take him or her to a convenient
8 place for the administration of a reasonably available evidentiary
9 test under NRS 484C.160.

10 3. The result of the preliminary test must not be used in any
11 criminal action, except to show there were reasonable grounds to
12 make an arrest.

13 **Sec. 25.** NRS 484C.170 is hereby amended to read as follows:

14 484C.170 1. Any coroner, or other public official performing
15 like duties, shall in all cases in which a death has occurred as a
16 result of ~~{an accident}~~ **a crash** involving a motor vehicle, whether
17 the person killed is a driver, passenger or pedestrian, cause to be
18 drawn from each decedent, within 8 hours of the ~~{accident}~~ **crash**, a
19 blood sample to be analyzed for the presence and concentration of
20 alcohol.

21 2. The findings of the examinations are a matter of public
22 record and must be reported to the Department by the coroner or
23 other public official within 30 days after the death.

24 3. Blood-alcohol analyses are acceptable only if made by
25 laboratories licensed to perform this function.

26 **Sec. 26.** NRS 484D.470 is hereby amended to read as follows:

27 484D.470 1. Tow cars must be equipped with:

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

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

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

41 2. A citation may be issued to any driver of a tow car who
42 violates any provision of paragraph (a) of subsection 1. The peace
43 officer who issues the citation shall report the violation to the
44 Nevada Highway Patrol or the sheriff of the county or the chief of
45 police of the city in which the roadway is located. If necessary, the



1 Nevada Highway Patrol, sheriff or chief of police shall cause the
2 roadway to be cleaned and shall bill the owner or operator of the
3 tow car for the costs of the cleaning. If the owner or operator does
4 not pay those costs within 30 days after receiving the bill therefor,
5 the Nevada Highway Patrol, sheriff or chief of police shall report
6 such information to the Nevada Transportation Authority, which
7 may take disciplinary action in accordance with the provisions of
8 NRS 706.449.

9 **Sec. 27.** NRS 484D.485 is hereby amended to read as follows:

10 484D.485 1. A manufacturer of a new motor vehicle which is
11 sold or leased in this State and which is equipped with an event
12 recording device shall disclose that fact in the owner's manual for
13 the vehicle. The disclosure must include, if applicable, a statement
14 that the event recording device:

15 (a) Records the direction and rate of speed at which the motor
16 vehicle travels;

17 (b) Records a history of where the motor vehicle travels;

18 (c) Records steering performance;

19 (d) Records brake performance, including, without limitation,
20 whether the brakes were applied before ~~an accident;~~ **a crash;**

21 (e) Records the status of the driver's safety belt; and

22 (f) If ~~an accident;~~ **a crash** involving the motor vehicle occurs,
23 is able to transmit information concerning the ~~accident;~~ **crash** to a
24 central communications system.

25 2. Except as otherwise provided in this section, data recorded
26 by an event recording device may not be downloaded or otherwise
27 retrieved by a person other than the registered owner of the vehicle.
28 Data recorded by an event recording device may be downloaded or
29 otherwise retrieved by a person other than the registered owner of
30 the vehicle:

31 (a) If the registered owner of the vehicle consents to the retrieval
32 of the data.

33 (b) Pursuant to the order of a court of competent jurisdiction.

34 (c) If the data is retrieved for the purpose of conducting research
35 to improve motor vehicle safety, including, without limitation,
36 conducting medical research to determine the reaction of a human
37 body to motor vehicle ~~accidents;~~ **crashes**, provided that the
38 identity of the registered owner or driver is not disclosed in
39 connection with the retrieval of that data. The disclosure of a vehicle
40 identification number pursuant to this paragraph does not constitute
41 the disclosure of the identity of the registered owner or driver of the
42 vehicle.

43 (d) If the data is retrieved by a new vehicle dealer or a garage
44 operator to diagnose, service or repair the motor vehicle.



(e) Pursuant to an agreement for subscription services for which disclosure required by subsection 4 has been made.

3. A person who retrieves data from an event recording device pursuant to paragraph (c) of subsection 2 shall not disclose that data to any person other than a person who is conducting research specified in that paragraph.

4. If a motor vehicle is equipped with an event recording device that is able to record or transmit any information described in subparagraph (2) or (6) of paragraph (a) of subsection 6 and that ability is part of a subscription service for the motor vehicle, the fact that the information may be recorded or transmitted must be disclosed in the agreement for the subscription service.

5. Any person who violates the provisions of this section is guilty of a misdemeanor.

6. As used in this section:

(a) “Event recording device” means a device which is installed by the manufacturer of a motor vehicle and which, for the purposes of retrieving data after ~~an accident~~ a crash involving the motor vehicle:

(1) Records the direction and rate of speed at which the motor vehicle travels;

(2) Records a history of where the motor vehicle travels;

(3) Records steering performance;

(4) Records brake performance, including, without limitation, whether the brakes were applied before ~~an accident~~ a crash;

(5) Records the status of the driver’s safety belt; or

(6) If ~~an accident~~ a crash involving the motor vehicle occurs, is able to transmit information concerning the ~~accident~~ crash to a central communications system.

(b) “Garage operator” has the meaning ascribed to it in NRS 487.545.

(c) “New vehicle dealer” has the meaning ascribed to it in NRS 482.078.

(d) “Owner” means:

(1) A person having all the incidents of ownership, including the legal title of the motor vehicle, whether or not the person lends, rents or creates a security interest in the motor vehicle;

(2) A person entitled to possession of the motor vehicle as the purchaser under a security agreement; or

(3) A person entitled to possession of the motor vehicle as a lessee pursuant to a lease agreement if the term of the lease is more than 3 months.



Sec. 28. NRS 484D.655 is hereby amended to read as follows:

484D.655 1. The Director of the Department of Transportation:

(a) May, pursuant to paragraph (a) of subsection 1 of NRS 408.210, reduce the maximum weight limits as prescribed in NRS 484D.635, 484D.640 and 484D.645 on a highway under the jurisdiction of the Department of Transportation, including, without limitation, a bridge located on the highway, for a period of not more than 180 days.

(b) Shall provide an informational report to the Board of Directors of the Department of Transportation that describes any reduction to the maximum weight limits made pursuant to paragraph (a) within 60 days after the Director of the Department of Transportation makes the reduction.

2. Except as otherwise provided in subsection 1 and NRS 484D.660, before the Department of Transportation reduces the maximum weight limits as prescribed in NRS 484D.635, 484D.640 and 484D.645 on a highway or a portion of a highway under its jurisdiction, the Department of Transportation shall:

(a) Consider:

(1) The average number of vehicles traveling on the highway each day;

(2) The number of vehicles that have a declared gross weight in excess of 26,000 pounds that are included in the average number pursuant to subparagraph (1);

(3) The availability of alternate routes to the highway;

(4) The impact on each alternate route of increased traffic consisting of vehicles that have a declared gross weight in excess of 26,000 pounds;

(5) The number of traffic ~~accidents~~ *crashes* involving a vehicle that has a declared gross weight in excess of 26,000 pounds on the highway in the past 5 years;

(6) Any projected adverse economic or environmental impact resulting from reducing the maximum weight limits on the highway; and

(7) Any other factors the Department of Transportation deems appropriate; and

(b) Present such considerations to the Board of Directors of the Department of Transportation to receive the Board's approval to reduce the maximum weight limits pursuant to this section.

Sec. 29. NRS 484D.715 is hereby amended to read as follows:

484D.715 1. The Department of Transportation may, upon application in writing, if good cause appears, issue a special or multiple trip-limited time permit in writing authorizing the applicant to move a manufactured or mobile home, or any other similar type



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1 of vehicle or structure, in excess of the maximum width, but not
2 exceeding, except as otherwise provided in NRS 484D.720, 120
3 inches exclusive of appendages which must not extend beyond 3
4 inches on either side. The Department of Transportation may
5 establish seasonal or other limitations on the time within which the
6 home, vehicle or structure may be moved on the highways
7 indicated, and may require an undertaking or other security as may
8 be considered necessary to protect the highways and bridges from
9 injury or to provide indemnity for any injury resulting from the
10 operation. Permits for the movement of homes, vehicles or
11 structures as provided for in this section may be issued only to
12 licensed manufacturers, dealers, owners and transporters and may be
13 issued only under the following conditions:

14 (a) The power unit used to tow an overwidth home, vehicle or
15 structure having a gross weight of 18,000 pounds or less must be a
16 three-quarter-ton truck or tractor, or a truck or tractor of greater
17 power equipped with dual wheels.

18 (b) The power unit used to tow an overwidth home, vehicle or
19 structure having a gross weight in excess of 18,000 pounds must be
20 a one-and-one-half-ton, or larger, truck or tractor equipped with dual
21 wheels.

22 (c) The mobile home for which the permit is issued must
23 comply with the provisions of NRS 484D.635 relating to maximum
24 weight on axles.

25 (d) The insurer must furnish evidence of insurance verifying
26 coverage of the overwidth home, vehicle or structure in the amount
27 of \$100,000 because of bodily injury to or death of one person in
28 any one ~~accident,~~ **crash**, in the amount of \$300,000 because of
29 bodily injury to or death of two or more persons in any one
30 ~~accident~~ **crash** and in the amount of \$50,000 because of injury to
31 or destruction of property of others in any one ~~accident,~~ **crash**.

32 2. A permit which has been issued for the movement of a
33 manufactured or mobile home, or a similar type of vehicle or
34 structure, is not valid between sunset and sunrise. The Director of
35 the Department of Transportation may establish additional
36 reasonable regulations, consistent with this section, including
37 regulations concerning the movement of such a home, vehicle or
38 structure on a Saturday, Sunday or a legal holiday, as the Director
39 considers necessary in the interest of public safety.

40 **Sec. 30.** NRS 484E.010 is hereby amended to read as follows:

41 484E.010 1. The driver of any vehicle involved in ~~an~~
42 ~~accident~~ **a crash** on a highway or on premises to which the public
43 has access resulting in bodily injury to or the death of a person shall
44 immediately stop his or her vehicle at the scene of the ~~accident~~
45 **crash** or as close thereto as possible, and shall forthwith return to



1 and in every event shall remain at the scene of the ~~{accident}~~ crash
2 until the driver has fulfilled the requirements of NRS 484E.030.

3 2. Every such stop must be made without obstructing traffic
4 more than is necessary.

5 3. A person failing to comply with the provisions of subsection
6 1 is guilty of a category B felony and shall be punished by
7 imprisonment in the state prison for a minimum term of not less
8 than 2 years and a maximum term of not more than 15 years and by
9 a fine of not less than \$2,000 nor more than \$5,000.

10 **Sec. 31.** NRS 484E.020 is hereby amended to read as follows:

11 484E.020 The driver of any vehicle involved in ~~{an accident}~~ a
12 crash resulting only in damage to a vehicle or other property which
13 is driven or attended by any person shall:

14 1. Immediately stop his or her vehicle at the scene of the
15 ~~{accident}~~ crash; and

16 2. As soon as reasonably practicable, if the driver's vehicle is
17 obstructing traffic and can be moved safely, move the vehicle or
18 cause the vehicle to be moved to a location as close thereto as
19 possible that does not obstruct traffic and return to and remain at the
20 scene of the ~~{accident}~~ crash until the driver has fulfilled the
21 requirements of NRS 484E.030.

22 **Sec. 32.** NRS 484E.030 is hereby amended to read as follows:

23 484E.030 1. The driver of any vehicle involved in ~~{an~~
24 ~~accident}~~ a crash resulting in injury to or death of any person or
25 damage to any vehicle or other property which is driven or attended
26 by any person shall:

27 (a) Give his or her name, address and the registration number of
28 the vehicle the driver is driving, and shall upon request and if
29 available exhibit his or her license to operate a motor vehicle to any
30 person injured in such ~~{accident}~~ crash or to the driver or occupant
31 of or person attending any vehicle or other property damaged in
32 such ~~{accident}~~ crash;

33 (b) Give such information and upon request manually surrender
34 such license to any police officer at the scene of the ~~{accident}~~ crash
35 or who is investigating the ~~{accident}~~ crash; and

36 (c) Render to any person injured in such ~~{accident}~~ crash
37 reasonable assistance, including the carrying, or the making of
38 arrangements for the carrying, of such person to a physician,
39 surgeon or hospital for medical or surgical treatment if it is apparent
40 that such treatment is necessary, or if such carrying is requested by
41 the injured person.

42 2. If no police officer is present, the driver of any vehicle
43 involved in such ~~{accident}~~ crash after fulfilling all other
44 requirements of subsection 1 and NRS 484E.010, insofar as possible
45 on his or her part to be performed, shall forthwith report such



1 ~~{accident}~~ **crash** to the nearest office of a police authority or of the
2 Nevada Highway Patrol and submit thereto the information
3 specified in subsection 1.

4 **Sec. 33.** NRS 484E.040 is hereby amended to read as follows:

5 484E.040 The driver of any vehicle which ~~{collides with or}~~ is
6 involved in ~~{an accident}~~ **a crash** with any vehicle or other property
7 which is unattended, resulting in any damage to such other vehicle
8 or property, shall immediately stop and shall then and there locate
9 and notify the operator or owner of such vehicle or other property of
10 the name and address of the driver and owner of the vehicle striking
11 the unattended vehicle or other property or shall attach securely in a
12 conspicuous place in or on such vehicle or property a written notice
13 giving the name and address of the driver and of the owner of the
14 vehicle doing the striking.

15 **Sec. 34.** NRS 484E.050 is hereby amended to read as follows:

16 484E.050 1. The driver of a vehicle which ~~{collides with or}~~
17 is involved in ~~{an accident}~~ **a crash** with any vehicle or other
18 property which is unattended, resulting in any damage to such other
19 vehicle or property, shall immediately by the quickest means of
20 communication give notice of such ~~{accident}~~ **crash** to the nearest
21 office of a police authority or of the Nevada Highway Patrol.

22 2. Whenever the driver of a vehicle is physically incapable of
23 giving an immediate notice of ~~{an accident}~~ **a crash** as required in
24 subsection 1 and there was another occupant in the vehicle at the
25 time of the ~~{accident}~~ **crash** capable of doing so, such occupant shall
26 make or cause to be given the notice not given by the driver.

27 **Sec. 35.** NRS 484E.060 is hereby amended to read as follows:

28 484E.060 1. A peace officer at the scene of ~~{an accident}~~ **a**
29 **crash** involving a motor vehicle shall, by radio, request that the
30 information on file with the Department be checked regarding the
31 validity of the registration for each motor vehicle involved
32 in the ~~{accident}~~ **crash**. If the peace officer is informed that the
33 registration of a motor vehicle involved in the ~~{accident}~~ **crash** has
34 been suspended pursuant to any provision of chapter 485 of NRS,
35 the peace officer shall determine whether the license plates and
36 certificate of registration for the motor vehicle have been
37 surrendered as required by NRS 485.320. If the license plates and
38 certificate have not been surrendered, the peace officer shall:

39 (a) Issue a traffic citation in the manner provided in NRS
40 484A.630 charging the registered owner with a violation of NRS
41 485.320 and 485.330; and

42 (b) Without a warrant, seize and take possession of the motor
43 vehicle and cause it to be towed and impounded until the owner
44 claims it by:



(1) Presenting proof that the vehicle's registration has been reinstated by the Department; and

(2) Paying the cost of the towing and impoundment.

2. Neither the peace officer nor the governmental entity which employs the peace officer is civilly liable for any damage to the vehicle that occurs after the vehicle is seized, but before the towing process begins.

Sec. 36. NRS 484E.070 is hereby amended to read as follows:

484E.070 1. The Department shall:

(a) Approve the format of the forms for ~~{accident}~~ **crash** reports made pursuant to this section; and

(b) Make those forms available to persons who are required to forward the reports to the Department pursuant to this section.

2. Except as otherwise provided in subsections 3, 4 and 5, the driver of a vehicle which is in any manner involved in ~~{an accident}~~ **a crash** on a highway or on premises to which the public has access, if the ~~{accident}~~ **crash** 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}~~ **crash**, forward a written or electronic report of the ~~{accident}~~ **crash** to the Department. Whenever damage occurs to a motor vehicle, the operator shall attach to the ~~{accident}~~ **crash** 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 or electronic reports whenever the original report is insufficient in the opinion of the Department.

3. A report is not required from any person if the ~~{accident}~~ **crash** was investigated by a police officer pursuant to NRS 484E.110 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}~~ **crash**;

(b) The number of each policy; and

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

4. 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}~~ **crash** occurred.

5. A written or electronic ~~{accident}~~ **crash** report is not required pursuant to this chapter from any person who is physically



1 incapable of making a report, during the period of the person's
2 incapacity. Whenever the driver is physically incapable of making a
3 written or electronic report of ~~{an-accident}~~ a crash as required in
4 this section and the driver is not the owner of the vehicle, the owner
5 shall within 10 days after knowledge of the ~~{accident}~~ crash make
6 the report not made by the driver.

7 6. All written or electronic reports required in this section to be
8 forwarded to the Department by drivers or owners of vehicles
9 involved in ~~{accidents}~~ crashes are without prejudice to the person
10 so reporting and are for the confidential use of the Department or
11 other state agencies having use of the records for ~~{accident}~~ crash
12 prevention, except as otherwise provided in NRS 239.0115 and
13 except that the Department may disclose to a person involved in ~~{an~~
14 ~~accident}~~ a crash or to his or her insurer the identity of another
15 person involved in the ~~{accident}~~ crash when the person's identity is
16 not otherwise known or when the person denies having been present
17 at the ~~{accident}~~ crash. The Department may also disclose the name
18 of the person's insurer and the number of the person's policy.

19 7. A written or electronic report forwarded pursuant to the
20 provisions of this section may not be used as evidence in any trial,
21 civil or criminal, arising out of ~~{an-accident}~~ a crash except that the
22 Department shall furnish upon demand of any party to such a trial,
23 or upon demand of any court, a certificate showing that a specified
24 ~~{accident}~~ crash report has or has not been made to the Department
25 in compliance with law, and, if the report has been made, the date,
26 time and location of the ~~{accident}~~ crash, the names and addresses
27 of the drivers, the owners of the vehicles involved and the
28 investigating officers. The report may be used as evidence when
29 necessary to prosecute charges filed in connection with a violation
30 of NRS 484E.080.

31 **Sec. 37.** NRS 484E.080 is hereby amended to read as follows:

32 484E.080 1. If a person willfully fails, refuses or neglects to
33 make a report of ~~{an-accident}~~ a crash in accordance with the
34 provisions of this chapter, the person's driving privilege may be
35 suspended. Suspension action taken under this section remains in
36 effect for 1 year unless terminated by receipt of the report of the
37 ~~{accident}~~ crash or upon receipt of evidence that failure to report
38 was not willful.

39 2. Any person who gives information in electronic, oral or
40 written reports as required in this chapter, knowing or having reason
41 to believe that such information is false, is guilty of a gross
42 misdemeanor.

43 **Sec. 38.** NRS 484E.090 is hereby amended to read as follows:

44 484E.090 The State Registrar of Vital Statistics shall on or
45 before the 10th day of each month report in writing to the



1 Department the death of any person resulting from a vehicle
2 ~~the~~ **crash**, giving the time and place of ~~the~~ **crash**
3 and the circumstances relating thereto.

4 **Sec. 39.** NRS 484E.100 is hereby amended to read as follows:

5 484E.100 The person in charge of any garage or repair shop to
6 which is brought any motor vehicle which shows evidence of having
7 been involved in ~~an~~ **a crash** and which is repaired in that
8 garage or repair shop shall maintain for 2 years a record of those
9 repairs including the:

- 10 1. Registration number of the vehicle;
- 11 2. Vehicle identification number;
- 12 3. Color of the vehicle before the repairs;
- 13 4. Location on the vehicle of the damage repaired;
- 14 5. Total amount of the damage; and
- 15 6. Name and address of the person who requested the repairs.

16 **Sec. 40.** NRS 484E.110 is hereby amended to read as follows:

17 484E.110 1. Every police officer who investigates a vehicle
18 ~~the~~ **crash** of which a report must be made as required in this
19 chapter, or who otherwise prepares a written or electronic report as a
20 result of an investigation either at the time of and at the scene of the
21 ~~the~~ **crash** or thereafter by interviewing the participants or
22 witnesses, shall forward a written or electronic report of the
23 ~~the~~ **crash** to the Department of Public Safety within 10 days
24 after the investigation of the ~~the~~ **crash**. The data collected by
25 the Department of Public Safety pursuant to this subsection must be
26 recorded in a central repository created by the Department of Public
27 Safety to track data electronically concerning vehicle ~~accidents~~
28 **crashes** on a statewide basis.

29 2. The written or electronic reports required to be forwarded by
30 police officers and the information contained therein are not
31 privileged or confidential.

32 3. Every sheriff, chief of police or office of the Nevada
33 Highway Patrol receiving any report required under NRS 484E.030
34 to 484E.090, inclusive, shall immediately prepare a copy thereof
35 and file the copy with the Department of Public Safety.

36 4. If a police officer investigates a vehicle ~~the~~ **crash**
37 resulting in bodily injury to or the death of any person or total
38 damage to any vehicle or item of property to an apparent extent of
39 \$750 or more, the police officer shall prepare a written or electronic
40 report of the investigation.

41 5. As soon as practicable after receiving a report pursuant to
42 this section, the Department of Public Safety shall submit a copy of
43 the report to the Department of Motor Vehicles.



Sec. 41. NRS 484E.120 is hereby amended to read as follows:

484E.120 1. The Department of Public Safety shall prepare forms for ~~{accident}~~ *crash* reports required pursuant to NRS 484E.110, suitable with respect to the persons required to make the reports and the purposes to be served. The forms must be designed to call for sufficiently detailed information to disclose with reference to ~~{an accident}~~ *a crash* the cause, conditions then existing, the persons and vehicles involved, the name and address of the insurance company, the number of the policy providing coverage and the dates on which the coverage begins and ends. The Department of Public Safety shall, upon request, supply to a police department, sheriff or other appropriate agency or person, the forms for ~~{accident}~~ *crash* reports prepared by a police officer pursuant to NRS 484E.110.

2. In addition to submitting a copy of a report pursuant to NRS 484E.110, the Department of Public Safety shall provide any information required by this section which is not included in the report to the Department of Motor Vehicles to enable the Department of Motor Vehicles to determine whether the requirements for the deposit of security under chapter 485 of NRS are inapplicable. The Department of Motor Vehicles may rely upon the accuracy of information supplied to a police officer by a driver or owner on the form unless it has reason to believe that the information is erroneous.

3. Every ~~{accident}~~ *crash* report required pursuant to NRS 484E.070 must be made on the appropriate form approved by the Department of Motor Vehicles pursuant to that section and must contain all the information required in the form.

4. Every ~~{accident}~~ *crash* report required pursuant to NRS 484E.110 must be made on the appropriate form approved by the Department of Public Safety and must contain all the information required therein unless it is not available.

Sec. 42. NRS 484E.130 is hereby amended to read as follows:

484E.130 The Department shall tabulate and analyze all ~~{accident}~~ *crash* reports received in compliance with this chapter and shall publish annually, or at more frequent intervals, statistical information based thereon as to the number and circumstances of vehicle ~~{accidents}~~ *crashes*.

Sec. 43. NRS 485.105 is hereby amended to read as follows:

485.105 "Proof of financial responsibility" means proof of ability to respond for the future in damages for liability, on account of ~~{accidents}~~ *crashes* occurring subsequent to the effective date of that proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amounts specified in NRS 485.185.



* S B 1 8 8 *

1 **Sec. 44.** NRS 485.185 is hereby amended to read as follows:

2 485.185 Every owner of a motor vehicle which is registered or
3 required to be registered in this State shall continuously provide,
4 while the motor vehicle is present or registered in this State,
5 insurance provided by an insurance company licensed by the
6 Division of Insurance of the Department of Business and Industry
7 and approved to do business in this State:

8 1. In the amount of \$15,000 for bodily injury to or death of one
9 person in any one ~~accident;~~ **crash;**

10 2. Subject to the limit for one person, in the amount of \$30,000
11 for bodily injury to or death of two or more persons in any one
12 ~~accident;~~ **crash;** and

13 3. In the amount of \$10,000 for injury to or destruction of
14 property of others in any one ~~accident;~~ **crash,**
15 ➔ for the payment of tort liabilities arising from the maintenance or
16 use of the motor vehicle.

17 **Sec. 45.** NRS 485.190 is hereby amended to read as follows:

18 485.190 1. If, 20 days after the receipt of a report of ~~an~~
19 ~~accident;~~ **a crash** involving a motor vehicle within this State which
20 has resulted in bodily injury or death, or damage to the property of
21 any one person in excess of \$750, the Department does not have on
22 file evidence satisfactory to it that the person who would otherwise
23 be required to file security under subsection 2 has been released
24 from liability, has been finally adjudicated not to be liable or has
25 executed an acknowledged written agreement providing for the
26 payment of an agreed amount in installments with respect to all
27 claims for injuries or damages resulting from the ~~accident;~~ **crash,**
28 the Department shall upon request set the matter for a hearing as
29 provided in NRS 485.191.

30 2. The Department shall, immediately after a determination
31 adverse to an operator or owner is made in a hearing pursuant to
32 NRS 485.191, suspend the license of each operator and all
33 registrations of each owner of a motor vehicle involved in such ~~an~~
34 ~~accident;~~ **a crash,** and, if the operator is a nonresident, the privilege
35 of operating a motor vehicle within this State, and, if the owner is a
36 nonresident, the privilege of the use within this State of any motor
37 vehicle owned by him or her, unless the operator or owner, or both,
38 immediately deposit security in the sum so determined by the
39 Department at the hearing. If erroneous information is given to the
40 Department with respect to the matters set forth in paragraph (a), (b)
41 or (c) of subsection 1 of NRS 485.200, the Department shall take
42 appropriate action as provided in this section after it receives correct
43 information with respect to those matters.



Sec. 46. NRS 485.191 is hereby amended to read as follows:

485.191 1. Any operator or owner of a motor vehicle who was involved in ~~an accident~~ *a crash* and who is not exempt from the requirements of depositing security by the provisions of NRS 485.200, is entitled to a hearing before the Director or a representative of the Director before a determination of the amount of security required pursuant to NRS 485.190, and before the suspension of his or her operator's license or registration as provided in subsection 2 of NRS 485.190. The hearing must be held in the county of residence of the operator. If the operator and owner reside in different counties and the hearing would involve both of them, the hearing must be held in the county which will be the most convenient for the summoning of witnesses.

2. The owner or operator must be given at least 30 days' notice of the hearing in writing with a brief explanation of the proceedings to be taken against the owner or operator and the possible consequences of a determination adverse to the owner or operator.

3. If the operator or owner desires a hearing, the owner or operator shall, within 15 days, notify the Department in writing of such intention. If the owner or operator does not send this notice within the 15 days, he or she waives his or her right to a hearing, except that, the Director may for good cause shown permit the owner a later opportunity for a hearing.

Sec. 47. NRS 485.193 is hereby amended to read as follows:

485.193 The hearing must be held to determine:

1. Whether or not there is a reasonable possibility that a judgment may be rendered against the owner or operator as a result of the ~~accident~~ *crash* in which the owner or operator was involved if the issue is brought before a court of competent jurisdiction; and

2. The amount of security that may be required of the operator or owner to satisfy any judgment for damages that may be rendered against the owner or operator.

Sec. 48. NRS 485.200 is hereby amended to read as follows:

485.200 1. The requirements as to security and suspension in NRS 485.190 to 485.300, inclusive, do not apply:

(a) To the operator or owner if the operator or owner had in effect at the time of the ~~accident~~ *crash* a motor vehicle liability policy with respect to the motor vehicle involved in the ~~accident~~ *crash*;

(b) To the operator if there was in effect at the time of the ~~accident~~ *crash* a motor vehicle liability policy with respect to his or her operation of any motor vehicle;

(c) To the operator or owner if the liability for damages of the operator or owner resulting from the ~~accident~~ *crash* is, in the



1 judgment of the Department, covered by any other form of liability
2 insurance policy or a bond;

3 (d) To any person qualifying as a self-insurer pursuant to NRS
4 485.380, or to any person operating a motor vehicle for the self-
5 insured;

6 (e) To the operator or the owner of a motor vehicle involved in
7 ~~an accident~~ a crash wherein no injury or damage was caused to
8 the person or property of anyone other than the operator or owner;

9 (f) To the operator or the owner of a motor vehicle legally
10 parked at the time of the ~~accident~~ crash;

11 (g) To the owner of a motor vehicle if at the time of the
12 ~~accident~~ crash the vehicle was being operated without the owner's
13 permission, express or implied, or was parked by a person who had
14 been operating the motor vehicle without permission; or

15 (h) If, before the date that the Department would otherwise
16 suspend the license and registration or nonresident's operating
17 privilege pursuant to NRS 485.190, there is filed with the
18 Department evidence satisfactory to it that the person who would
19 otherwise have to file security has been released from liability or has
20 received a determination in his or her favor at a hearing conducted
21 pursuant to NRS 485.191, or has been finally adjudicated not to be
22 liable or has executed an acknowledged written agreement
23 providing for the payment of an agreed amount in installments, with
24 respect to all claims for injuries or damages resulting from the
25 ~~accident~~ crash.

26 2. An owner who is not the operator of the motor vehicle is not
27 exempt from the requirements as to security and suspension in NRS
28 485.190 to 485.300, inclusive, if the owner holds a motor vehicle
29 liability policy which provides coverage only when the owner is
30 operating the motor vehicle and, at the time of the ~~accident~~ crash,
31 another person is operating the motor vehicle with the express or
32 implied permission of the owner.

33 **Sec. 49.** NRS 485.210 is hereby amended to read as follows:

34 485.210 For the purposes of NRS 485.200, a policy or bond is
35 not effective unless:

36 1. The policy or bond is subject, if the ~~accident~~ crash has
37 resulted in bodily injury or death, to a limit, exclusive of interest and
38 costs, of not less than \$15,000 because of bodily injury to or death
39 of one person in any one ~~accident~~ crash and, subject to the limit
40 for one person, to a limit of not less than \$30,000 because of bodily
41 injury to or death of two or more persons in any one ~~accident~~
42 crash and, if the ~~accident~~ crash has resulted in injury to or
43 destruction of property, to a limit of not less than \$10,000 because
44 of injury to or destruction of property of others in any one
45 ~~accident~~ crash; and



2. The insurance company or surety company issuing that policy or bond is authorized to do business in this State or, if the company is not authorized to do business in this State, unless it executes a power of attorney authorizing the Director to accept service on its behalf of notice or process in any action upon that policy or bond arising out of ~~an accident~~ a crash.

Sec. 50. NRS 485.220 is hereby amended to read as follows:

485.220 1. The security required pursuant to NRS 485.190 to 485.300, inclusive, must be in such a form and amount as the Department may require, but in no case in excess of the limits specified in NRS 485.210 in reference to the acceptable limits of a policy or bond.

2. The person depositing the security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while the deposit is in the custody of the Department or the State Treasurer, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons, but a single deposit of security is applicable only on behalf of persons required to furnish security because of the same ~~accident~~ crash.

Sec. 51. NRS 485.230 is hereby amended to read as follows:

485.230 1. The license, all registrations and the nonresident's operating privilege suspended as provided in NRS 485.190 must remain so suspended and may not be renewed nor may any license or registration be issued to any such person until:

(a) The person deposits or there is deposited on his or her behalf the security required under NRS 485.190;

(b) Two years have elapsed following the date of the ~~accident~~ crash and evidence satisfactory to the Department has been filed with it that during that period no action for damages arising out of the ~~accident~~ crash has been instituted; or

(c) Evidence satisfactory to the Department has been filed with it of a release from liability, or a final adjudication of nonliability, or an acknowledged written agreement, in accordance with NRS 485.190.

2. Upon any default in the payment of any installment under any acknowledged written agreement, and upon notice of the default, the Department shall suspend the license and all registrations or the nonresident's operating privilege of the person defaulting, which may not be restored until:

(a) The person deposits and thereafter maintains security as required under NRS 485.190 in such an amount as the Department may then determine; or

(b) One year has elapsed following the date of default, or 2 years following the date of the ~~accident~~ crash, whichever is greater, and



1 during that period no action upon the agreement has been instituted
2 in a court in this State.

3 3. Proof of financial responsibility, as set forth in NRS
4 485.307, is an additional requirement for reinstatement of the
5 operator's license and registrations under this section. The person
6 shall maintain proof of financial responsibility for 3 years after the
7 date of reinstatement of the license in accordance with the
8 provisions of this chapter. If the person fails to do so the Department
9 shall suspend the license and registrations.

10 **Sec. 52.** NRS 485.240 is hereby amended to read as follows:

11 485.240 1. If the operator or the owner of a motor vehicle
12 involved in ~~{an accident}~~ **a crash** within this State has no license or
13 registration, or is a nonresident, the operator or owner must not be
14 allowed a license or registration until the operator or owner has
15 complied with the requirements of NRS 485.190 to 485.300,
16 inclusive, to the same extent that would be necessary if, at the time
17 of the ~~{accident}~~ **crash**, the operator or owner had held a license
18 and registration.

19 2. When a nonresident's operating privilege is suspended
20 pursuant to NRS 485.190 or 485.230, the Department shall transmit
21 a certified copy of the record of that action to the officer in charge
22 of the issuance of licenses and registration certificates in the state in
23 which the nonresident resides, if the law of that state provides for
24 action in relation thereto similar to that provided for in subsection 3.

25 3. Upon receipt of a certification that the operating privilege of
26 a resident of this State has been suspended or revoked in any other
27 state pursuant to a law providing for its suspension or revocation for
28 failure to deposit security for the payment of judgments arising out
29 of a motor vehicle ~~{accident}~~ **crash**, under circumstances which
30 would require the Department to suspend a nonresident's operating
31 privilege had the ~~{accident}~~ **crash** occurred in this State, the
32 Department shall suspend the license of the resident if the resident
33 was the operator, and all of his or her registrations if the resident
34 was the owner of a motor vehicle involved in that ~~{accident}~~ **crash**.
35 The suspension must continue until the resident furnishes evidence
36 of compliance with the law of the other state relating to the deposit
37 of that security.

38 **Sec. 53.** NRS 485.250 is hereby amended to read as follows:

39 485.250 The Department may reduce the amount of security
40 ordered in any case within 6 months after the date of the ~~{accident}~~
41 **crash** if, in its judgment, the amount ordered is excessive. In case
42 the security originally ordered has been deposited, the excess
43 deposited over the reduced amount ordered must be returned to the
44 depositor or his or her personal representative forthwith,
45 notwithstanding the provisions of NRS 485.270.



Sec. 54. NRS 485.270 is hereby amended to read as follows:

485.270 Security deposited in compliance with the requirements of this chapter is applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made for damages arising out of the ~~faceident;~~ *crash* in question in an action at law, begun not later than 2 years after the date of the ~~faceident;~~ *crash* or within 1 year after the date of deposit of any security under NRS 485.230, whichever period is longer, or to the payment in settlement, agreed to by the depositor, of a claim or claims arising out of the ~~faceident;~~ *crash*.

Sec. 55. NRS 485.280 is hereby amended to read as follows:

485.280 A deposit or any balance thereof must be returned to the depositor or his or her personal representative:

1. When evidence satisfactory to the Department has been filed with it that there has been a release from liability, a final adjudication of nonliability or an acknowledged agreement, in accordance with paragraph (h) of subsection 1 of NRS 485.200; or

2. If 2 years after the date of the ~~faceident;~~ *crash* or 1 year after the date of deposit of any security under NRS 485.230, whichever period is longer, the Department is given reasonable evidence that there is no action pending and no judgment rendered in such an action left unpaid.

Sec. 56. NRS 485.301 is hereby amended to read as follows:

485.301 1. Whenever any person fails within 60 days to satisfy any judgment that was entered as a result of ~~tan-accident;~~ *a crash* involving a motor vehicle, the judgment creditor or the judgment creditor's attorney may forward to the Department immediately after the expiration of the 60 days a certified copy of the judgment.

2. If the defendant named in any certified copy of a judgment that was entered as a result of ~~tan-accident;~~ *a crash* involving a motor vehicle and reported to the Department is a nonresident, the Department shall transmit a certified copy of the judgment to the officer in charge of the issuance of licenses and registration certificates of the state in which the defendant is a resident.

Sec. 57. NRS 485.304 is hereby amended to read as follows:

485.304 Judgments must for the purpose of this chapter only, be deemed satisfied:

1. When \$15,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one ~~faceident;~~ *crash;*

2. When, subject to the limit of \$15,000 because of bodily injury to or death of one person, the sum of \$30,000 has been credited upon any judgment or judgments rendered in excess of that



1 amount because of bodily injury to or death of two or more persons
2 as the result of any one ~~accident;~~ **crash**; or

3 3. When \$10,000 has been credited upon any judgment or
4 judgments rendered in excess of that amount because of injury to or
5 destruction of property of others as a result of any one ~~accident;~~
6 **crash**,

7 but payments made in settlement of any claims because of bodily
8 injury, death or property damage arising from a motor vehicle
9 ~~accident~~ **crash** must be credited in reduction of the amounts
10 provided for in this section.

11 **Sec. 58.** NRS 485.307 is hereby amended to read as follows:

12 485.307 1. Proof of financial responsibility, when required
13 pursuant to this title, may be given by filing:

14 (a) A certificate of financial responsibility as provided in NRS
15 485.308 or 485.309; or

16 (b) A certificate of self-insurance, as provided in NRS 485.380,
17 supplemented by an agreement by the self-insurer that, with respect
18 to ~~accidents~~ **crashes** occurring while the certificate is in force, the
19 self-insurer will pay the same judgments and in the same amounts
20 that an insurer would have been obligated to pay under an owner's
21 policy of liability insurance if it had issued such a policy to the self-
22 insurer.

23 2. Whenever the Department restores a license, permit or
24 privilege of driving a vehicle in this State which has been revoked,
25 no motor vehicle may be or continue to be registered in the name of
26 the person whose license, permit or privilege was revoked unless
27 proof of financial responsibility is furnished by that person.

28 **Sec. 59.** NRS 485.309 is hereby amended to read as follows:

29 485.309 1. The nonresident owner of a motor vehicle not
30 registered in this State or a nonresident operator of a motor vehicle
31 may give proof of financial responsibility by filing with the
32 Department a written certificate of an insurance carrier authorized to
33 transact business:

34 (a) If the insurance provides coverage for the vehicle, in the
35 state in which the motor vehicle described in the certificate is
36 registered; or

37 (b) If the insurance provides coverage for the operator only, in
38 the state in which the insured resides,

39 but if the certificate otherwise conforms to the provisions of this
40 chapter.

41 2. The Department shall accept the proof upon condition that
42 the insurance carrier complies with the following provisions with
43 respect to the policies so certified:

44 (a) The insurance carrier shall execute a power of attorney
45 authorizing the Director to accept service on its behalf of notice or



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1 process in any action arising out of ~~an accident~~ **a crash** involving a
2 motor vehicle in this State; and

3 (b) The insurance carrier shall agree in writing that the policies
4 shall be deemed to conform with the laws of this State relating to the
5 terms of liability policies for owners of motor vehicles.

6 3. If any insurance carrier not authorized to transact business in
7 this State, which has qualified to furnish proof of financial
8 responsibility, defaults in any undertakings or agreements, the
9 Department shall not thereafter accept as proof any certificate of
10 that carrier whether theretofore filed or thereafter tendered as proof,
11 as long as the default continues.

12 **Sec. 60.** NRS 485.3091 is hereby amended to read as follows:

13 485.3091 1. An owner's policy of liability insurance must:

14 (a) Designate by explicit description or by appropriate reference
15 all motor vehicles with respect to which coverage is thereby to be
16 granted; and

17 (b) Insure the person named therein and any other person, as
18 insured, using any such motor vehicle with the express or implied
19 permission of the named insured, against loss from the liability
20 imposed by law for damages arising out of the ownership,
21 maintenance or use of such motor vehicle within the United States
22 of America or the Dominion of Canada, subject to limits exclusive
23 of interest and costs, with respect to each such motor vehicle, as
24 follows:

25 (1) Because of bodily injury to or death of one person in any
26 one ~~accident~~ **crash**, \$15,000;

27 (2) Subject to the limit for one person, because of bodily
28 injury to or death of two or more persons in any one ~~accident~~ **crash**,
29 \$30,000; and

30 (3) Because of injury to or destruction of property of others
31 in any one ~~accident~~ **crash**, \$10,000.

32 2. An operator's policy of liability insurance must insure the
33 person named as insured therein against loss from the liability
34 imposed upon the person by law for damages arising out of the
35 person's use of any motor vehicle within the same territorial limits
36 and subject to the same limits of liability as are set forth in
37 paragraph (b) of subsection 1.

38 3. A motor vehicle liability policy must state the name and
39 address of the named insured, the coverage afforded by the policy,
40 the premium charged therefor, the period of effectiveness and the
41 limits of liability, and must contain an agreement or be endorsed
42 that insurance is provided thereunder in accordance with the
43 coverage defined in this chapter as respects bodily injury and death
44 or property damage, or both, and is subject to all the provisions of
45 this chapter.



4. A motor vehicle liability policy need not insure any liability under any workers' compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of any motor vehicle owned by the insured nor any liability for damage to property owned by, rented to, in charge of or transported by the insured.

5. Every motor vehicle liability policy is subject to the following provisions which need not be contained therein:

(a) The liability of the insurance carrier with respect to the insurance required by this chapter becomes absolute whenever injury or damage covered by the policy occurs. The policy may not be cancelled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage. No statement made by the insured or on behalf of the insured and no violation of the policy defeats or voids the policy.

(b) The satisfaction by the insured of a judgment for injury or damage is not a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage.

(c) The insurance carrier may settle any claim covered by the policy, and if such a settlement is made in good faith, the amount thereof is deductible from the limits of liability specified in paragraph (b) of subsection 1.

(d) The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this chapter constitute the entire contract between the parties.

6. Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy, and the excess or additional coverage is not subject to the provisions of this chapter.

7. Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

8. The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers, which policies together meet those requirements.

9. Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.



Sec. 61. NRS 485.316 is hereby amended to read as follows:

485.316 1. Except as otherwise provided in subsection 2 and NRS 239.0115, information which is maintained in the system created pursuant to NRS 485.313 is confidential.

2. The Department may only disclose information which is maintained in the system to:

(a) A state or local governmental agency for the purpose of enforcing NRS 485.185, including investigating or litigating a violation or alleged violation;

(b) An authorized insurer;

(c) A person:

(1) With whom the Department has contracted to provide services relating to the system created pursuant to NRS 485.313; and

(2) To whom the information is disclosed only pursuant to a nondisclosure or confidentiality agreement which relates to the information;

(d) A person who requests information regarding his or her own status;

(e) The parent or legal guardian of the person about whom the information is requested if the person is an unemancipated minor or legally incapacitated;

(f) A person who has a power of attorney from the person about whom the information is requested;

(g) A person who submits a notarized release from the person about whom the information is requested which is dated no more than 90 days before the date of the request; or

(h) A person who has suffered a loss or injury in ~~an accident~~ **a crash** involving a motor vehicle, or the person's authorized insurer or a representative of the authorized insurer, who requests:

(1) Information for use in the ~~accident~~ **crash** report; and

(2) For each motor vehicle involved in the ~~accident~~ **crash**:

(I) The name and address of each registered owner;

(II) The name of the insurer; and

(III) The number of the policy of liability insurance.

3. A person who knowingly violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130.

4. As used in this section, "authorized insurer" has the meaning ascribed to it in NRS 679A.030.

Sec. 62. NRS 485.385 is hereby amended to read as follows:

485.385 Whenever the Department has taken any action or has failed to take any action under this chapter by reason of having received erroneous information or by reason of having received no information, upon receiving correct information within 2 years after



1 the date of the ~~faceident~~ *crash*, the Department shall take
2 appropriate action to carry out the purposes of this chapter. The
3 foregoing does not require the Department to reevaluate the amount
4 of any deposit required under this chapter.

5 **Sec. 63.** NRS 485.400 is hereby amended to read as follows:

6 485.400 This chapter shall not apply with respect to any
7 ~~faceident~~ *crash*, or judgment arising therefrom, or violation of the
8 motor vehicle laws of this State occurring prior to September 1,
9 1949.

10 **Sec. 64.** NRS 487.520 is hereby amended to read as follows:

11 487.520 1. Except as otherwise provided in subsection 3, if a
12 salvage vehicle is repaired or rebuilt by a garage operator or
13 operator of a body shop, the repairs or rebuilding must comply with
14 the standards published and commonly applied in the motor vehicle
15 repair industry.

16 2. Except as otherwise provided in subsection 3, if any safety
17 equipment that was present in a motor vehicle at the time it was
18 manufactured is repaired or replaced by a garage operator or
19 operator of a body shop, the equipment must be repaired or replaced
20 to the standards published and commonly applied in the motor
21 vehicle repair industry.

22 3. If a motor vehicle has been in ~~fan-accident~~ *a crash* and a
23 garage operator or operator of a body shop accepts or assumes
24 control of the motor vehicle to make any repair, the garage operator
25 or operator of the body shop shall:

26 (a) For a motor vehicle that is equipped with an airbag that has
27 been deployed, replace the airbag in a manner that complies with the
28 standards set forth in 49 C.F.R. § 571.208, Standard No. 208, for
29 such equipment.

30 (b) For a motor vehicle that is equipped with a seatbelt assembly
31 which requires repair or replacement, repair or replace the seatbelt
32 assembly in a manner that complies with the standards set forth in
33 49 C.F.R. § 571.209, Standard No. 209, for such equipment.

34 4. A garage operator or operator of a body shop who is
35 licensed pursuant to the provisions of this chapter who performs the
36 work required pursuant to this section shall retain a written record of
37 the work, including, without limitation, the date of the repair,
38 rebuilding or replacement, and any identifying information
39 regarding any parts or equipment used in the repair, rebuilding or
40 replacement.

41 **Sec. 65.** NRS 1A.570 is hereby amended to read as follows:

42 1A.570 1. Except as otherwise provided in subsection 3, if a
43 deceased member of the Judicial Retirement Plan had 2 years of
44 creditable service in the 2 1/2 years immediately preceding the
45 member's death, or if the employee had 10 or more years of



1 creditable service, certain of his or her dependents are eligible for
2 payments as provided in NRS 1A.530 to 1A.670, inclusive. If the
3 death of the member resulted from a mental or physical condition
4 which required the member to leave his or her position as a justice
5 of the Supreme Court, judge of the Court of Appeals, district judge,
6 justice of the peace or municipal judge or go on leave without pay,
7 eligibility pursuant to the provisions of this section extends for 18
8 months after the member's termination or commencement of leave
9 without pay.

10 2. If the death of a member of the Judicial Retirement Plan
11 occurs while the member is on leave of absence for further training
12 and if the member met the requirements of subsection 1 at the time
13 his or her leave began, certain of the member's dependents are
14 eligible for payments as provided in subsection 1.

15 3. If the death of a member of the Judicial Retirement Plan is
16 caused by an occupational disease or an accident *or motor vehicle*
17 *crash* arising out of and in the course of the member's employment,
18 no prior creditable service is required to make the member's
19 dependents eligible for payments pursuant to NRS 1A.530 to
20 1A.670, inclusive, except that this subsection does not apply to an
21 accident *or motor vehicle crash* occurring while the member is
22 traveling between the member's home and his or her principal place
23 of employment.

24 4. As used in this section, "dependent" includes a survivor
25 beneficiary designated pursuant to NRS 1A.620.

26 **Sec. 66.** NRS 7.045 is hereby amended to read as follows:

27 7.045 1. Except as otherwise provided in this section, it shall
28 be unlawful for a person, in exchange for compensation, to solicit a
29 tort victim to employ, hire or retain any attorney at law:

30 (a) At the scene of a traffic ~~accident~~ *crash* that may result in a
31 civil action; or

32 (b) At a county or city jail or detention facility.

33 2. It is unlawful for a person to conspire with another person to
34 commit an act which violates the provisions of subsection 1.

35 3. This section does not prohibit or restrict:

36 (a) A recommendation for the employment, hiring or retention
37 of an attorney at law in a manner that complies with the Nevada
38 Rules of Professional Conduct.

39 (b) The solicitation of motor vehicle repair or storage services
40 by a tow car operator.

41 (c) Any activity engaged in by police, fire or emergency medical
42 personnel acting in the normal course of duty.

43 (d) A communication by a tort victim with the tort victim's
44 insurer concerning the investigation of a claim or settlement of a
45 claim for property damage.



(e) Any inquiries or advertisements performed in the ordinary course of a person's business.

4. A tort victim may void any contract, agreement or obligation that is made, obtained, procured or incurred in violation of this section.

5. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

6. As used in this section, "tort victim" means a person:

(a) Whose property has been damaged as a result of any accident *or motor vehicle crash* that may result in a civil action, criminal action or claim for tort damages by or against another person;

(b) Who has been injured or killed as a result of any accident *or motor vehicle crash* that may result in a civil action, criminal action or claim for tort damages by or against another person; or

(c) A parent, guardian, spouse, sibling or child of a person who has died as a result of any accident *or motor vehicle crash* that may result in a civil action, criminal action or claim for tort damages by or against another person.

Sec. 67. NRS 14.070 is hereby amended to read as follows:

14.070 1. The use and operation of a motor vehicle over the public roads, streets or highways, or in any other area open to the public and commonly used by motor vehicles, in the State of Nevada by any person, either as principal, master, agent or servant, shall be deemed an appointment by the operator, on behalf of the operator and the operator's principal, master, executor, administrator or personal representative, of the Director of the Department of Motor Vehicles to be his or her true and lawful attorney upon whom may be served all legal process in any action or proceeding against the operator or the operator's principal, master, executor, administrator or personal representative, growing out of such use or resulting in damage or loss to person or property, and the use or operation signifies his or her agreement that any process against him or her which is so served has the same legal force and validity as though served upon him or her personally within the State of Nevada.

2. Service of process must be made by leaving a copy of the process with a fee of \$5 in the hands of the Director of the Department of Motor Vehicles or in the office of the Director, and the service shall be deemed sufficient upon the operator if notice of service and a copy of the process is sent by registered or certified mail by the plaintiff to the defendant at the address supplied by the defendant in the defendant's ~~accident~~ *crash* report, if any, and if not, at the best address available to the plaintiff, and a return receipt signed by the defendant or a return of the United States Postal Service stating that the defendant refused to accept delivery or could



1 not be located, or that the address was insufficient, and the
2 plaintiff's affidavit of compliance therewith are attached to the
3 original process and returned and filed in the action in which it was
4 issued. Personal service of notice and a copy of the process upon the
5 defendant, wherever found outside of this state, by any person
6 qualified to serve like process in the State of Nevada is the
7 equivalent of mailing, and may be proved by the affidavit of the
8 person making the personal service appended to the original process
9 and returned and filed in the action in which it was issued.

10 3. The court in which the action is pending may order such
11 continuances as may be necessary to afford the defendant reasonable
12 opportunity to defend the action.

13 4. The fee of \$5 paid by the plaintiff to the Director of the
14 Department of Motor Vehicles at the time of the service must be
15 taxed in the plaintiff's costs if the plaintiff prevails in the suit. The
16 Director of the Department of Motor Vehicles shall keep a record of
17 all service of process, including the day and hour of service.

18 5. The foregoing provisions of this section with reference to
19 the service of process upon an operator defendant are not exclusive,
20 except if the operator defendant is found within the State of Nevada,
21 the operator defendant must be served with process in the State of
22 Nevada.

23 6. The provisions of this section apply to nonresident motorists
24 and to resident motorists who have left the State or cannot be found
25 within the State following ~~an accident~~ *a crash* which is the subject
26 of an action for which process is served pursuant to this section.

27 **Sec. 68.** NRS 41.200 is hereby amended to read as follows:

28 41.200 1. If an unemancipated minor has a disputed claim for
29 money against a third person, either parent, or if the parents of the
30 minor are living separate and apart, then the custodial parent, or if
31 no custody award has been made, the parent with whom the minor is
32 living, or if a general guardian or guardian of the estate of the minor
33 has been appointed, then that guardian, has the right to compromise
34 the claim. Such a compromise is not effective until it is approved by
35 the district court of the county where the minor resides, or if the
36 minor is not a resident of the State of Nevada, then by the district
37 court of the county where the claim was incurred, upon a verified
38 petition in writing, regularly filed with the court.

39 2. The petition must set forth:

40 (a) The name, age and residence of the minor;
41 (b) The facts which bring the minor within the purview of this
42 section, including:

43 (1) The circumstances which make it a disputed claim for
44 money;



(2) The name of the third person against whom the claim is made; and

(3) If the claim is the result of an accident ~~H~~ *or motor vehicle crash*, the date, place and facts of the accident ~~H~~ *or motor vehicle crash*;

(c) The names and residence of the parents or the legal guardian of the minor;

(d) The name and residence of the person or persons having physical custody or control of the minor;

(e) The name and residence of the petitioner and the relationship of the petitioner to the minor;

(f) The total amount of the proceeds of the proposed compromise and the apportionment of those proceeds, including the amount to be used for:

(1) Attorney's fees and whether the attorney's fees are fixed or contingent fees, and if the attorney's fees are contingent fees the percentage of the proceeds to be paid as attorney's fees;

(2) Medical expenses; and

(3) Other expenses,

➔ and whether these fees and expenses are to be deducted before or after the calculation of any contingency fee;

(g) Whether the petitioner believes the acceptance of this compromise is in the best interest of the minor; and

(h) That the petitioner has been advised and understands that acceptance of the compromise will bar the minor from seeking further relief from the third person offering the compromise.

3. If the claim involves a personal injury suffered by the minor, the petitioner must submit all relevant medical and health care records to the court at the compromise hearing. The records must include documentation of:

(a) The injury, prognosis, treatment and progress of recovery of the minor; and

(b) The amount of medical expenses incurred to date, the nature and amount of medical expenses which have been paid and by whom, any amount owing for medical expenses and an estimate of the amount of medical expenses which may be incurred in the future.

4. If the court approves the compromise of the claim of the minor, the court must direct the money to be paid to the father, mother or guardian of the minor, with or without the filing of any bond, or it must require a general guardian or guardian ad litem to be appointed and the money to be paid to the guardian or guardian ad litem, with or without a bond, as the court, in its discretion, deems to be in the best interests of the minor.



1 5. Upon receiving the proceeds of the compromise, the parent
2 or guardian to whom the proceeds of the compromise are ordered to
3 be paid, shall establish a blocked financial investment for the benefit
4 of the minor with the proceeds of the compromise. Money may be
5 obtained from the blocked financial investment only pursuant to
6 subsection 6. Within 30 days after receiving the proceeds of the
7 compromise, the parent or guardian shall file with the court proof
8 that the blocked financial investment has been established. If the
9 balance of the investment is more than \$10,000, the parent, guardian
10 or person in charge of managing the investment shall annually file
11 with the court a verified report detailing the activities of the
12 investment during the previous 12 months. If the balance of the
13 investment is \$10,000 or less, the court may order the parent,
14 guardian or person in charge of managing the investment to file such
15 periodic verified reports as the court deems appropriate. The court
16 may hold a hearing on a verified report only if it deems a hearing
17 necessary to receive an explanation of the activities of the
18 investment.

19 6. The beneficiary of a block financial investment may obtain
20 control of or money from the investment:

21 (a) By an order of the court which held the compromise hearing;
22 or

23 (b) By certification of the court which held the compromise
24 hearing that the beneficiary has reached the age of 18 years, at
25 which time control of the investment must be transferred to the
26 beneficiary or the investment must be closed and the money
27 distributed to the beneficiary.

28 7. The clerk of the district court shall not charge any fee for
29 filing a petition for leave to compromise or for placing the petition
30 upon the calendar to be heard by the court.

31 8. As used in this section, the term “blocked financial
32 investment” means a savings account established in a depository
33 institution in this state, a certificate of deposit, a United States
34 savings bond, a fixed or variable annuity contract, or another
35 reliable investment that is approved by the court.

36 **Sec. 69.** NRS 178.750 is hereby amended to read as follows:

37 178.750 1. The district attorney for each county shall prepare
38 and submit a report, on a form approved by the Attorney General, to
39 the Attorney General not later than February 1 of each year
40 concerning each case filed during the previous calendar year that
41 included a charge for murder or voluntary manslaughter. The district
42 attorney shall exclude from the report any charge for manslaughter
43 that resulted from a death in ~~an accident or collision~~ a crash
44 involving a motor vehicle.



2. The report required pursuant to subsection 1 must include, without limitation:

(a) The age, gender and race of the defendant;

(b) The age, gender and race of any codefendant or other person charged or suspected of having participated in the homicide and in any alleged related offense;

(c) The age, gender and race of the victim of the homicide and any alleged related offense;

(d) The date of the homicide and of any alleged related offense;

(e) The date of filing of the information or indictment;

(f) The name of each court in which the case was prosecuted;

(g) Whether or not the prosecutor filed a notice of intent to seek the death penalty and, if so, when the prosecutor filed the notice;

(h) The final disposition of the case and whether or not the case was tried before a jury;

(i) The race, ethnicity and gender of each member of the jury, if the case was tried by a jury; and

(j) The identity of:

(1) Each prosecuting attorney who participated in the decision to file the initial charges against the defendant;

(2) Each prosecuting attorney who participated in the decision to offer or accept a plea, if applicable;

(3) Each prosecuting attorney who participated in the decision to seek the death penalty, if applicable; and

(4) Each person outside the office of the district attorney who was consulted in determining whether to seek the death penalty or to accept or reject a plea, if any.

3. If all the information required pursuant to subsection 1 cannot be provided because the case is still in progress, an additional report must be filed with the Attorney General each time a subsequent report is filed until all the information, to the extent available, has been provided.

Sec. 70. NRS 217.070 is hereby amended to read as follows:

217.070 "Victim" means:

1. A person who is physically injured or killed as the direct result of a criminal act;

2. A minor who was involved in the production of pornography in violation of NRS 200.710, 200.720, 200.725 or 200.730;

3. A minor who was sexually abused, as "sexual abuse" is defined in NRS 432B.100;

4. A person who is physically injured or killed as the direct result of a violation of NRS 484C.110 or any act or neglect of duty punishable pursuant to NRS 484C.430 or 484C.440;

5. A pedestrian who is physically injured or killed as the direct result of a driver of a motor vehicle who failed to stop at the scene



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1 of ~~{an-accident;}~~ *a crash* involving the driver and the pedestrian in
2 violation of NRS 484E.010;

3 6. An older person who is abused, neglected, exploited or
4 isolated in violation of NRS 200.5099 or 200.50995;

5 7. A resident who is physically injured or killed as the direct
6 result of an act of international terrorism as defined in 18 U.S.C. §
7 2331(1); or

8 8. A person who is trafficked in violation of subsection 2 of
9 NRS 201.300.

10 ➔ The term includes a person who was harmed by any of these acts
11 whether the act was committed by an adult or a minor.

12 **Sec. 71.** NRS 248.242 is hereby amended to read as follows:

13 248.242 A sheriff shall, within 7 days after receipt of a written
14 request of a person who claims to have sustained damages as a
15 result of ~~{an-accident;}~~ *a crash*, or his or her legal representative or
16 insurer, and upon receipt of a reasonable fee to cover the cost of
17 reproduction, provide the person, his or her legal representative or
18 insurer, as applicable, with a copy of the ~~{accident;}~~ *crash* report and
19 all statements by witnesses and photographs in the possession or
20 under the control of the sheriff's office that concern the ~~{accident;}~~
21 *crash*, unless:

22 1. The materials are privileged or confidential pursuant to a
23 specific statute; or

24 2. The ~~{accident;}~~ *crash* involved:

25 (a) The death or substantial bodily harm of a person;

26 (b) Failure to stop at the scene of ~~{an-accident;}~~ *a crash*; or

27 (c) The commission of a felony.

28 **Sec. 72.** NRS 258.072 is hereby amended to read as follows:

29 258.072 A constable shall, within 7 days after receipt of a
30 written request of a person who claims to have sustained damages as
31 a result of ~~{an-accident;}~~ *a crash*, or the person's legal representative
32 or insurer, and upon receipt of a reasonable fee to cover the cost of
33 reproduction, provide the person, the person's legal representative
34 or insurer, as applicable, with a copy of the ~~{accident;}~~ *crash* report
35 and all statements by witnesses and photographs in the possession or
36 under the control of the constable's office that concern the
37 ~~{accident;}~~ *crash*, unless:

38 1. The materials are privileged or confidential pursuant to a
39 specific statute; or

40 2. The ~~{accident;}~~ *crash* involved:

41 (a) The death or substantial bodily harm of a person;

42 (b) Failure to stop at the scene of ~~{an-accident;}~~ *a crash*; or

43 (c) The commission of a felony.



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Sec. 73. NRS 259.050 is hereby amended to read as follows:

259.050 1. When a coroner or the coroner's deputy is informed that a person has been killed, has committed suicide or has suddenly died under such circumstances as to afford reasonable ground to suspect that the death has been occasioned by unnatural means, the coroner shall make an appropriate investigation.

2. In all cases where it is apparent or can be reasonably inferred that the death may have been caused by a criminal act, the coroner or the coroner's deputy shall notify the district attorney of the county where the inquiry is made, and the district attorney shall make an investigation with the assistance of the coroner. If the sheriff is not ex officio the coroner, the coroner shall also notify the sheriff, and the district attorney and sheriff shall make the investigation with the assistance of the coroner.

3. The holding of a coroner's inquest is within the sound discretion of the district attorney or district judge of the county. An inquest need not be conducted in any case of death manifestly occasioned by natural cause, suicide, accident, *motor vehicle crash* or when it is publicly known that the death was caused by a person already in custody, but an inquest must be held unless the district attorney or a district judge certifies that no inquest is required.

4. If an inquest is to be held, the district attorney shall call upon a justice of the peace of the county to preside over it. The justice of the peace shall summon three persons qualified by law to serve as jurors, to appear before the justice of the peace forthwith at the place where the body is or such other place within the county as may be designated by him or her to inquire into the cause of death.

5. A single inquest may be held with respect to more than one death, where all the deaths were occasioned by a common cause.

Sec. 74. NRS 268.900 is hereby amended to read as follows:

268.900 A police department or other law enforcement agency of a city shall, within 7 days after receipt of a written request of a person who claims to have sustained damages as a result of ~~an accident;~~ *a crash*, or the person's legal representative or insurer, and upon receipt of a reasonable fee to cover the cost of reproduction, provide the person, legal representative or insurer, as applicable, with a copy of the ~~accident;~~ *crash* report and all statements by witnesses and photographs in the possession or under the control of the department or agency that concern the ~~accident;~~ *crash*, unless:

1. The materials are privileged or confidential pursuant to a specific statute; or

2. The ~~accident;~~ *crash* involved:

(a) The death or substantial bodily harm of a person;

(b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or



(c) The commission of a felony.

Sec. 75. NRS 269.247 is hereby amended to read as follows:

269.247 A police department or other law enforcement agency of a town shall, within 7 days after receipt of a written request of a person who claims to have sustained damages as a result of ~~an accident;~~ *a crash*, or the person's legal representative or insurer, and upon receipt of a reasonable fee to cover the cost of reproduction, provide the person, the person's legal representative or insurer, as applicable, with a copy of the ~~accident;~~ *crash* report and all statements by witnesses and photographs in the possession or under the control of the department or agency that concern the ~~accident;~~ *crash*, unless:

1. The materials are privileged or confidential pursuant to a specific statute; or

2. The ~~accident;~~ *crash* involved:

(a) The death or substantial bodily harm of a person;

(b) Failure to stop at the scene of ~~an accident;~~ *a crash*; or

(c) The commission of a felony.

Sec. 76. NRS 277.035 is hereby amended to read as follows:

277.035 1. In the absence of an interlocal or cooperative agreement entered into pursuant to this chapter, if a law enforcement agency requests the assistance of another law enforcement agency which responds to the request, the law enforcement agencies shall be deemed to have entered into an implied agreement whereby:

(a) Both law enforcement agencies shall be deemed, for the limited purpose of the exclusive remedy set forth in NRS 616A.020, to employ jointly a person who:

(1) Is an employee of either law enforcement agency; and

(2) Sustains an injury by accident *or motor vehicle crash* while participating in the matter for which assistance was requested.

(b) Each law enforcement agency shall defend, hold harmless and indemnify the other law enforcement agency and its employees from any claim or liability arising from an act or omission performed by its own employee while participating in the matter for which assistance was requested, unless such act or omission is a negligent act or omission for which the law enforcement agency who employs that employee is not liable pursuant to NRS 41.0336.

2. As used in this section:

(a) "Employee" includes a person who:

(1) Is paid by a law enforcement agency to serve as a peace officer, as that term is defined in NRS 169.125; or

(2) Is recognized by and serves a law enforcement agency as a volunteer peace officer, as that term is described in NRS 616A.160.



(b) "Law enforcement agency" means an agency, office or bureau of this state or a political subdivision of this state, the primary duty of which is to enforce the law.

Sec. 77. NRS 280.400 is hereby amended to read as follows:

280.400 A metropolitan police department shall, within 7 days after receipt of a written request of a person who claims to have sustained damages as a result of ~~an accident;~~ **a crash**, or his or her legal representative or insurer, and upon receipt of a reasonable fee to cover the cost of reproduction, provide the person or his or her legal representative or insurer, as applicable, with a copy of the ~~accident;~~ **crash** report and all statements by witnesses and photographs in the possession or under the control of the department that concern the ~~accident;~~ **crash**, unless:

1. The materials are privileged or confidential pursuant to a specific statute; or

2. The ~~accident;~~ **crash** involved:

(a) The death or substantial bodily harm of a person;

(b) Failure to stop at the scene of ~~an accident;~~ **a crash**; or

(c) The commission of a felony.

Sec. 78. NRS 281.153 is hereby amended to read as follows:

281.153 1. The employer of a police officer or firefighter may establish a program that allows a police officer or firefighter whom it employs who has suffered a catastrophe resulting in temporary total disability to elect to continue to receive the police officer's or firefighter's normal salary for a period of not more than 1 year in lieu of receiving the compensation for the industrial injury or occupational disease for which the police officer or firefighter is eligible pursuant to chapters 616A to 616D, inclusive, or 617 of NRS, unless the police officer or firefighter has made an election pursuant to NRS 281.390.

2. A program established pursuant to subsection 1:

(a) Must prescribe the conditions pursuant to which a police officer or firefighter is eligible to receive the police officer's or firefighter's normal salary in accordance with an election pursuant to subsection 1; and

(b) May allow a police officer or firefighter to return to light-duty employment or employment modified according to the police officer's or firefighter's physical restrictions or limitations and receive the police officer's or firefighter's normal salary during the period of an election pursuant to subsection 1.

3. Unless the employer is self-insured or a member of an association of self-insured public or private employers, the employer shall notify the insurer that provides industrial insurance for that employer of the election by a police officer or firefighter pursuant to subsection 1. When the police officer or firefighter is no longer



1 eligible to receive the police officer's or firefighter's normal salary
2 pursuant to such an election, the employer shall notify the insurer so
3 that the insurer may begin paying to the police officer or firefighter
4 the benefits, if any, for industrial insurance for which the police
5 officer or firefighter is eligible. If the employer is self-insured or a
6 member of an association of self-insured public or private
7 employers and the police officer or firefighter is no longer eligible
8 to receive the police officer's or firefighter's normal salary in
9 accordance with an election pursuant to subsection 1, the employer
10 shall begin paying the benefits, if any, for industrial insurance to
11 which the police officer or firefighter is entitled.

12 4. During the period in which the police officer or firefighter
13 elects to receive the police officer's or firefighter's normal salary
14 pursuant to subsection 1, the police officer or firefighter accrues sick
15 leave, annual leave and retirement benefits at the same rate at which
16 the police officer or firefighter accrued such leave and benefits
17 immediately before the election.

18 5. As used in this section:

19 (a) "Catastrophe" means an illness, ~~or~~ accident *or motor*
20 *vehicle crash* arising out of or in the course of employment which is
21 life threatening or which will require a period of convalescence that
22 an attending physician expects to exceed 30 days and because of
23 which the employee is unable to perform the duties of the
24 employee's position.

25 (b) "Police officer" has the meaning ascribed to it in
26 NRS 617.135.

27 **Sec. 79.** NRS 284.362 is hereby amended to read as follows:
28 284.362 1. As used in NRS 284.362 to 284.3629, inclusive:

29 (a) "Catastrophe" means:

30 (1) The employee is unable to perform the duties of the
31 employee's position because of a serious illness, ~~or~~ accident *or*
32 *motor vehicle crash* which is life threatening or which will require a
33 lengthy convalescence;

34 (2) There is a serious illness, ~~or~~ accident *or motor vehicle*
35 *crash* which is life threatening or which will require a lengthy
36 convalescence in the employee's immediate family; or

37 (3) There is a death in the employee's immediate family.

38 (b) "Committee" means the Committee on Catastrophic Leave
39 created pursuant to NRS 284.3627.

40 2. The Commission shall adopt regulations further defining
41 "catastrophe" to ensure that the term is limited to serious calamities.

42 **Sec. 80.** NRS 286.672 is hereby amended to read as follows:

43 286.672 1. Except as otherwise provided in subsection 3, if a
44 deceased member had 2 years of accredited contributing service in
45 the 2 1/2 years immediately preceding the member's death or was a



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1 regular, part-time employee who had 2 or more years of creditable
2 contributing service before and at least 1 day of contributing service
3 within 6 months immediately preceding the member's death, or if
4 the employee had 10 or more years of accredited contributing
5 service, certain of the deceased member's dependents are eligible
6 for payments as provided in NRS 286.671 to 286.679, inclusive. If
7 the death of the member resulted from a mental or physical
8 condition which required the member to leave the employ of a
9 participating public employer or go on leave without pay, eligibility
10 pursuant to the provisions of this section extends for 18 months after
11 the member's termination or commencement of leave without pay.

12 2. If the death of a member occurs while the member is on
13 leave of absence granted by the member's employer for further
14 training and if the member met the requirements of subsection 1 at
15 the time the member's leave began, certain of the deceased
16 member's dependents are eligible for payments as provided in
17 subsection 1.

18 3. If the death of a member is caused by an occupational
19 disease, ~~for an~~ accident *or motor vehicle crash* arising out of and
20 in the course of the member's employment, no prior contributing
21 service is required to make the deceased member's dependents
22 eligible for payments pursuant to NRS 286.671 to 286.679,
23 inclusive, except that this subsection does not apply to an accident
24 *or motor vehicle crash* occurring while the member is traveling
25 between the member's home and the member's principal place of
26 employment or to an accident, *motor vehicle crash* or occupational
27 disease arising out of employment for which no contribution is
28 made.

29 4. As used in this section, "dependent" includes a survivor
30 beneficiary designated pursuant to NRS 286.6767.

31 **Sec. 81.** NRS 289.095 is hereby amended to read as follows:

32 289.095 1. In a county whose population is 100,000 or more,
33 each law enforcement agency shall adopt policies and procedures to
34 govern the investigation of motor vehicle ~~accidents~~ *crashes* in
35 which a peace officer employed by the law enforcement agency is
36 involved. The policies and procedures must include, without
37 limitation, a requirement that if such a motor vehicle ~~accident~~
38 *crash* results in a fatal injury to any person, the motor vehicle
39 ~~accident~~ *crash* must be investigated by a law enforcement agency
40 other than the law enforcement agency that employs the peace
41 officer involved in the ~~accident~~ *crash* unless:

42 (a) Another law enforcement agency does not have comparable
43 equipment and personnel to investigate the ~~accident~~ *crash* at least
44 as effectively as the law enforcement agency that employs the peace
45 officer involved in the motor vehicle ~~accident~~ *crash*;



(b) Another law enforcement agency is unavailable to investigate the motor vehicle ~~accident~~ crash; or

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

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

Sec. 82. NRS 360.740 is hereby amended to read as follows:

360.740 1. The governing body of a local government or special district that is created after July 1, 1998, and which provides police protection and at least two of the following services:

(a) Fire protection;

(b) Construction, maintenance and repair of roads; or

(c) Parks and recreation,

may, by majority vote, request the Nevada Tax Commission to direct the Executive Director to allocate money from the Account to the local government or special district pursuant to the provisions of NRS 360.680 and 360.690.

2. On or before December 31 of the year immediately preceding the first fiscal year that the local government or special district would receive money from the Account, a governing body that submits a request pursuant to subsection 1 must:

(a) Submit the request to the Executive Director; and

(b) Provide copies of the request and any information it submits to the Executive Director in support of the request to each local government and special district that:

(1) Receives money from the Account; and

(2) Is located within the same county.

3. The Executive Director shall review each request submitted pursuant to subsection 1 and submit his or her findings to the Committee on Local Government Finance. In reviewing the request, the Executive Director shall:

(a) For the initial year of distribution, establish an amount to be allocated to the new local government or special district pursuant to the provisions of NRS 360.680 and 360.690. If the new local government or special district will provide a service that was provided by another local government or special district before the creation of the new local government or special district, the amount allocated to the local government or special district which



1 previously provided the service must be decreased by the amount
2 allocated to the new local government or special district; and

3 (b) Consider:

4 (1) The effect of the distribution of money in the Account,
5 pursuant to the provisions of NRS 360.680 and 360.690, to the new
6 local government or special district on the amounts that the other
7 local governments and special districts that are located in the same
8 county will receive from the Account; and

9 (2) The comparison of the amount established to be allocated
10 pursuant to the provisions of NRS 360.680 and 360.690 for the new
11 local government or special district to the amounts allocated to the
12 other local governments and special districts that are located in the
13 same county.

14 4. The Committee on Local Government Finance shall review
15 the findings submitted by the Executive Director pursuant to
16 subsection 3. If the Committee determines that the distribution of
17 money in the Account to the new local government or special
18 district is appropriate, it shall submit a recommendation to the
19 Nevada Tax Commission. If the Committee determines that the
20 distribution is not appropriate, that decision is not subject to review
21 by the Nevada Tax Commission.

22 5. The Nevada Tax Commission shall schedule a public
23 hearing within 30 days after the Committee on Local Government
24 Finance submits its recommendation. The Nevada Tax Commission
25 shall provide public notice of the hearing at least 10 days before the
26 date on which the hearing will be held. The Executive Director shall
27 provide copies of all documents relevant to the recommendation of
28 the Committee on Local Government Finance to the governing body
29 of each local government and special district that is located in the
30 same county as the new local government or special district.

31 6. If, after the public hearing, the Nevada Tax Commission
32 determines that the recommendation of the Committee on Local
33 Government Finance is appropriate, it shall order the Executive
34 Director to distribute money in the Account to the new local
35 government or special district pursuant to the provisions of NRS
36 360.680 and 360.690.

37 7. For the purposes of this section, the local government or
38 special district may enter into an interlocal agreement with another
39 governmental entity for the provision of the services set forth in
40 subsection 1 if that local government or special district compensates
41 the governmental entity that provides the services in an amount
42 equal to the value of those services.

43 8. As used in this section:

44 (a) "Construction, maintenance and repair of roads" includes the
45 acquisition, operation or use of any material, equipment or facility



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1 that is used exclusively for the construction, maintenance or repair
2 of a road and that is necessary for the safe and efficient use of the
3 road except alleys and pathways for bicycles that are separate from
4 the roadway and, including, without limitation:

- 5 (1) Grades or regrades;
- 6 (2) Gravel;
- 7 (3) Oiling;
- 8 (4) Surfacing;
- 9 (5) Macadamizing;
- 10 (6) Paving;
- 11 (7) Cleaning;
- 12 (8) Sanding or snow removal;
- 13 (9) Crosswalks;
- 14 (10) Sidewalks;
- 15 (11) Culverts;
- 16 (12) Catch basins;
- 17 (13) Drains;
- 18 (14) Sewers;
- 19 (15) Manholes;
- 20 (16) Inlets;
- 21 (17) Outlets;
- 22 (18) Retaining walls;
- 23 (19) Bridges;
- 24 (20) Overpasses;
- 25 (21) Tunnels;
- 26 (22) Underpasses;
- 27 (23) Approaches;
- 28 (24) Sprinkling facilities;
- 29 (25) Artificial lights and lighting equipment;
- 30 (26) Parkways;
- 31 (27) Fences or barriers that control access to the road;
- 32 (28) Control of vegetation;
- 33 (29) Rights-of-way;
- 34 (30) Grade separators;
- 35 (31) Traffic separators;
- 36 (32) Devices and signs for control of traffic;
- 37 (33) Facilities for personnel who construct, maintain or
38 repair roads; and
- 39 (34) Facilities for the storage of equipment or materials used
40 to construct, maintain or repair roads.

41 (b) “Fire protection” includes the provision of services related
42 to:

- 43 (1) The prevention and suppression of fire; and
- 44 (2) Rescue,



1 ➡ and the acquisition and maintenance of the equipment necessary
2 to provide those services.

3 (c) "Parks and recreation" includes the employment by the local
4 government or special district, on a permanent and full-time basis,
5 of persons who administer and maintain recreational facilities and
6 parks. "Parks and recreation" does not include the construction or
7 maintenance of roadside parks or rest areas that are constructed or
8 maintained by the local government or special district as part of the
9 construction, maintenance and repair of roads.

10 (d) "Police protection" includes the employment by the local
11 government or special district, on a permanent and full-time basis,
12 of at least three persons whose primary functions specifically
13 include:

- 14 (1) Routine patrol;
- 15 (2) Criminal investigations;
- 16 (3) Enforcement of traffic laws; and
- 17 (4) Investigation of motor vehicle ~~faceidents.~~ *crashes.*

18 **Sec. 83.** NRS 391.180 is hereby amended to read as follows:

19 391.180 1. As used in this section, "employee" means any
20 employee of a school district or charter school in this State.

21 2. A school month in any public school in this State consists of
22 4 weeks of 5 days each.

23 3. Nothing contained in this section prohibits the payment of
24 employees' compensation in 12 equal monthly payments for 9 or
25 more months' work.

26 4. The per diem deduction from the salary of an employee
27 because of absence from service for reasons other than those
28 specified in this section is that proportion of the yearly salary which
29 is determined by the ratio between the duration of the absence and
30 the total number of contracted workdays in the year.

31 5. Boards of trustees shall either prescribe by regulation or
32 negotiate pursuant to chapter 288 of NRS, with respect to sick
33 leave, accumulation of sick leave, payment for unused sick leave,
34 sabbatical leave, personal leave, professional leave, military leave
35 and such other leave as they determine to be necessary or desirable
36 for employees. In addition, boards of trustees may either prescribe
37 by regulation or negotiate pursuant to chapter 288 of NRS with
38 respect to the payment of unused sick leave to licensed teachers in
39 the form of purchase of service pursuant to subsection 4 of NRS
40 286.300. The amount of service so purchased must not exceed the
41 number of hours of unused sick leave or 1 year, whichever is less.

42 6. The salary of any employee unavoidably absent because of
43 personal illness, ~~for~~ accident ~~H~~ *or motor vehicle crash*, or because
44 of serious illness, accident, *motor vehicle crash* or death in the
45 family, may be paid up to the number of days of sick leave



1 accumulated by the employee. An employee may not be credited
2 with more than 15 days of sick leave in any 1 school year. Except as
3 otherwise provided in this subsection, if an employee takes a
4 position with another school district or charter school, all sick leave
5 that the employee has accumulated must be transferred from the
6 employee's former school district or charter school to his or her new
7 school district or charter school. The amount of sick leave so
8 transferred may not exceed the maximum amount of sick leave
9 which may be carried forward from one year to the next according
10 to the applicable negotiated agreement or the policy of the district or
11 charter school into which the employee transferred. Unless the
12 applicable negotiated agreement or policy of the employing district
13 or charter school provides otherwise, such an employee:

14 (a) Shall first use the sick leave credited to the employee from
15 the district or charter school into which the employee transferred
16 before using any of the transferred leave; and

17 (b) Is not entitled to compensation for any sick leave transferred
18 pursuant to this subsection.

19 7. Subject to the provisions of subsection 8:

20 (a) If an intermission of less than 6 days is ordered by the board
21 of trustees of a school district or the governing body of a charter
22 school for any good reason, no deduction of salary may be made
23 therefor.

24 (b) If, on account of sickness, epidemic or other emergency in
25 the community, a longer intermission is ordered by the board of
26 trustees of a school district, the governing body of a charter school
27 or a board of health and the intermission or closing does not exceed
28 30 days at any one time, there may be no deduction or
29 discontinuance of salaries.

30 8. If the board of trustees of a school district or the governing
31 body of a charter school orders an extension of the number of days
32 of school to compensate for the days lost as the result of an
33 intermission because of those reasons contained in paragraph (b) of
34 subsection 7, an employee may be required to render his or her
35 services to the school district or charter school during that extended
36 period. If the salary of the employee was continued during the
37 period of intermission as provided in subsection 7, the employee is
38 not entitled to additional compensation for services rendered during
39 the extended period.

40 9. If any subject referred to in this section is included in an
41 agreement or contract negotiated by:

42 (a) The board of trustees of a school district pursuant to chapter
43 288 of NRS; or

44 (b) The governing body of a charter school pursuant to
45 NRS 386.595,



1 ➔ the provisions of the agreement or contract regarding that subject
2 supersede any conflicting provisions of this section or of a
3 regulation of the board of trustees.

4 **Sec. 84.** NRS 392.320 is hereby amended to read as follows:

5 392.320 1. As used in this section, "vehicles" means the
6 school buses, station wagons, automobiles and other motor or
7 mechanically propelled vehicles required by the school district for
8 the transportation of pupils.

9 2. The board of trustees of a school district shall use
10 transportation funds of the school district for:

11 (a) The purchase, rent, hire and use of vehicles, and for
12 necessary equipment, supplies and articles therefor.

13 (b) Necessary repairs of vehicles to keep them in safe and
14 workable condition.

15 (c) The employment and compensation of capable and reliable
16 drivers of vehicles and other employees necessary for the
17 transportation of pupils and other authorized persons.

18 (d) Insuring vehicles owned, rented, hired, used or operated by
19 or under the direction or supervision of the board of trustees. Such
20 insurance shall:

21 (1) Be of such an amount as the board of trustees may be
22 able to obtain and the regulations of the State Board of Education
23 require as sufficient to protect the board of trustees, the pupils being
24 transported, and their parents, guardians or legal representatives
25 from loss or damage resulting from acts covered by the insurance.

26 (2) Especially insure against loss and damage resulting from
27 or on account of injury or death of any pupil being transported,
28 caused by ~~collision~~ *a crash* or any accident during the operation of
29 any such vehicle.

30 **Sec. 85.** NRS 392.410 is hereby amended to read as follows:

31 392.410 1. Except as otherwise provided in this subsection,
32 every school bus operated for the transportation of pupils to or from
33 school must be equipped with:

34 (a) A system of flashing red lights of a type approved by the
35 State Board and installed at the expense of the school district or
36 operator. Except as otherwise provided in subsection 2, the driver
37 shall operate this signal:

38 (1) When the bus is stopped to unload pupils.

39 (2) When the bus is stopped to load pupils.

40 (3) In times of emergency, ~~for~~ accident ~~or~~ *or motor vehicle*
41 *crash*, when appropriate.

42 (b) A mechanical device, attached to the front of the bus which,
43 when extended, causes persons to walk around the device. The
44 device must be approved by the State Board and installed at the
45 expense of the school district or operator. The driver shall operate



1 the device when the bus is stopped to load or unload pupils. The
2 installation of such a mechanical device is not required for a school
3 bus which is used solely to transport pupils with special needs who
4 are individually loaded and unloaded in a manner which does not
5 require them to walk in front of the bus. The provisions of this
6 paragraph do not prohibit a school district from upgrading or
7 replacing such a mechanical device with a more efficient and
8 effective device that is approved by the State Board.

9 2. A driver may stop to load and unload pupils in a designated
10 area without operating the system of flashing red lights required by
11 subsection 1 if the designated area:

12 (a) Has been designated by a school district and approved by the
13 Department;

14 (b) Is of sufficient depth and length to provide space for the bus
15 to park at least 8 feet off the traveled portion of the roadway;

16 (c) Is not within an intersection of roadways;

17 (d) Contains ample space between the exit door of the bus and
18 the parking area to allow safe exit from the bus;

19 (e) Is located so as to allow the bus to reenter the traffic from its
20 parked position without creating a traffic hazard; and

21 (f) Is located so as to allow pupils to enter and exit the bus
22 without crossing the roadway.

23 3. In addition to the equipment required by subsection 1 and
24 except as otherwise provided in subsection 4 of NRS 392.400, each
25 school bus must:

26 (a) Be equipped and identified as required by the regulations of
27 the State Board; and

28 (b) If the bus is a new bus purchased by a school district to
29 transport pupils, meet the standards set forth in:

30 (1) Subsection 1 of NRS 392.405 if the bus is purchased on
31 or after January 1, 2016; and

32 (2) Subsection 2 or 3 of NRS 392.405 if the bus is purchased
33 on or after July 1, 2016.

34 4. The agents and employees of the Department of Motor
35 Vehicles shall inspect school buses to determine whether the
36 provisions of this section concerning equipment and identification
37 of the school buses have been complied with, and shall report any
38 violations discovered to the superintendent of schools of the school
39 district wherein the vehicles are operating.

40 5. If the superintendent of schools fails or refuses to take
41 appropriate action to correct any such violation within 10 days after
42 receiving notice of it from the Department of Motor Vehicles, the
43 superintendent is guilty of a misdemeanor, and upon conviction
44 must be removed from office.



6. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 86. NRS 394.545 is hereby amended to read as follows:

394.545 1. A driving school:

(a) Must be located more than 200 feet from any office of the Department of Motor Vehicles;

(b) Must have the equipment necessary to instruct students in the safe operation of motor vehicles and maintain the equipment in a safe condition; and

(c) Must have insurance in at least the following amounts:

(1) For bodily injury to or death of two or more persons in one ~~accident,~~ **crash**, \$40,000; and

(2) For damage to property in any one ~~accident,~~ **crash**, \$10,000.

2. The Department of Motor Vehicles may review and approve or disapprove any application to issue, renew or revoke a license for a driving school. The Department of Motor Vehicles may, at any time, inspect a licensed driving school and may recommend that its license be suspended or revoked. The Administrator shall investigate and recommend to the Commission the appropriate action.

Sec. 87. NRS 396.328 is hereby amended to read as follows:

396.328 The Police Department for the System shall, within 7 days after receipt of a written request of a person who claims to have sustained damages as a result of ~~an accident,~~ **a crash**, or the person's legal representative or insurer, and upon receipt of a reasonable fee to cover the cost of reproduction, provide the person, his or her legal representative or insurer, as applicable, with a copy of the ~~accident~~ **crash** report and all statements by witnesses and photographs in the possession or under the control of the Department that concern the ~~accident,~~ **crash**, unless:

1. The materials are privileged or confidential pursuant to a specific statute; or

2. The ~~accident~~ **crash** involved:

(a) The death or substantial bodily harm of a person;

(b) Failure to stop at the scene of ~~an accident,~~ **a crash**; or

(c) The commission of a felony.

Sec. 88. NRS 408.100 is hereby amended to read as follows:

408.100 Recognizing that safe and efficient highway transportation is a matter of important interest to all the people of the State, and that an adequate highway system is a vital part of the national defense, the Legislature hereby determines and declares that:

1. An integrated system of state highways and roads is essential to the general welfare of the State.



1 2. Providing such a system of facilities, its efficient
2 management, maintenance and control is recognized as a problem
3 and as the proper prospective of highway legislation.

4 3. Inadequate highways and roads obstruct the free flow of
5 traffic, resulting in undue cost of motor vehicle operation,
6 endangering the health and safety of the citizens of the State,
7 depreciating property values, and impeding general economic and
8 social progress of the State.

9 4. In designating the highways and roads of the State as
10 provided in this chapter, the Legislature places a high degree of trust
11 in the hands of those officials whose duty it is, within the limits of
12 available funds, to plan, develop, operate, maintain, control and
13 protect the highways and roads of this state, for present as well as
14 for future use.

15 5. To this end, it is the express intent of the Legislature to
16 make the Board of Directors of the Department of Transportation
17 custodian of the state highways and roads and to provide sufficiently
18 broad authority to enable the Board to function adequately and
19 efficiently in all areas of appropriate jurisdiction, subject to the
20 limitations of the Constitution and the legislative mandate proposed
21 in this chapter.

22 6. The Legislature intends:

23 (a) To declare, in general terms, the powers and duties of the
24 Board of Directors, leaving specific details to be determined by
25 reasonable regulations and declarations of policy which the Board
26 may promulgate.

27 (b) By general grant of authority to the Board of Directors to
28 delegate sufficient power and authority to enable the Board to carry
29 out the broad objectives contained in this chapter.

30 7. The problem of establishing and maintaining adequate
31 highways and roads, eliminating congestion, reducing ~~accident~~
32 ~~crash~~ frequency and taking all necessary steps to ensure safe and
33 convenient transportation on these public ways is no less urgent.

34 8. The Legislature hereby finds, determines and declares that
35 this chapter is necessary for the preservation of the public safety, the
36 promotion of the general welfare, the improvement and
37 development of facilities for transportation in the State, and other
38 related purposes necessarily included therein, and as a contribution
39 to the system of national defense.

40 9. The words “construction,” “maintenance” and
41 “administration” used in Section 5 of Article 9 of the Constitution of
42 the State of Nevada are broad enough to be construed to include and
43 as contemplating the construction, maintenance and administration
44 of the state highways and roads as established by this chapter and



1 the landscaping, roadside improvements and planning surveys of the
2 state highways and roads.

3 **Sec. 89.** NRS 408.210 is hereby amended to read as follows:

4 408.210 1. Except as otherwise provided in NRS 484D.655,
5 the Director of the Department of Transportation may restrict the
6 use of, or close, any highway whenever the Director considers the
7 closing or restriction of use necessary:

8 (a) For the protection of the public.

9 (b) For the protection of such highway from damage during
10 storms or during construction, reconstruction, improvement or
11 maintenance operations thereon.

12 (c) To promote economic development or tourism in the best
13 interest of the State or upon the written request of the Executive
14 Director of the Office of Economic Development or the Director of
15 the Department of Tourism and Cultural Affairs.

16 2. The Director of the Department of Transportation may:

17 (a) Divide or separate any highway into separate roadways,
18 wherever there is particular danger to the traveling public of
19 ~~collisions~~ **crashes** between vehicles proceeding in opposite
20 directions or from vehicular turning movements or cross-traffic, by
21 constructing curbs, central dividing sections or other physical
22 dividing lines, or by signs, marks or other devices in or on the
23 highway appropriate to designate the dividing line.

24 (b) Lay out and construct frontage roads on and along any
25 highway or freeway and divide and separate any such frontage road
26 from the main highway or freeway by means of curbs, physical
27 barriers or by other appropriate devices.

28 3. The Director may remove from the highways any unlicensed
29 encroachment which is not removed, or the removal of which is not
30 commenced and thereafter diligently prosecuted, within 5 days after
31 personal service of notice and demand upon the owner of the
32 encroachment or the owner's agent. In lieu of personal service upon
33 that person or agent, service of the notice may also be made by
34 registered or certified mail and by posting, for a period of 5 days, a
35 copy of the notice on the encroachment described in the notice.
36 Removal by the Department of the encroachment on the failure of
37 the owner to comply with the notice and demand gives the
38 Department a right of action to recover the expense of the removal,
39 cost and expenses of suit, and in addition thereto the sum of \$100
40 for each day the encroachment remains beyond 5 days after the
41 service of the notice and demand.

42 4. If the Director determines that the interests of the
43 Department are not compromised by a proposed or existing
44 encroachment, the Director may issue a license to the owner or the
45 owner's agent permitting an encroachment on the highway. Such a



1 license is revocable and must provide for relocation or removal of
2 the encroachment in the following manner. Upon notice from the
3 Director to the owner of the encroachment or the owner's agent, the
4 owner or agent may propose a time within which he or she will
5 relocate or remove the encroachment as required. If the Director and
6 the owner or the owner's agent agree upon such a time, the Director
7 shall not himself or herself remove the encroachment unless the
8 owner or the owner's agent has failed to do so within the time
9 agreed. If the Director and the owner or the owner's agent do not
10 agree upon such a time, the Director may remove the encroachment
11 at any time later than 30 days after the service of the original notice
12 upon the owner or the owner's agent. Service of notice may be made
13 in the manner provided by subsection 3. Removal of the
14 encroachment by the Director gives the Department the right of
15 action provided by subsection 3, but the penalty must be computed
16 from the expiration of the agreed period or 30-day period, as the
17 case may be.

18 **Sec. 90.** NRS 408.561 is hereby amended to read as follows:

19 408.561 1. The Department may establish at centers a toll-
20 free telephone system for members of the traveling public to make
21 reservations at hotels, motels, campgrounds and other places of
22 public accommodation. The cost of this system, reduced pursuant to
23 subsection 2 if applicable, must be apportioned among the hotels,
24 motels, campgrounds and other businesses that participate in the
25 system.

26 2. If the Department uses the telephone system established
27 pursuant to subsection 1 as a method for members of the public to
28 report fires, accidents , *motor vehicle crashes* or other emergencies
29 or to receive information concerning the conditions for driving on
30 certain highways, the Department shall pay a proportionate share of
31 the cost of the system.

32 **Sec. 91.** NRS 408.569 is hereby amended to read as follows:

33 408.569 The Department shall establish along one or more
34 frequently traveled highways of this state a system of
35 communication for members of the general public to report fires,
36 accidents , *motor vehicle crashes* or other emergencies and to
37 receive information concerning the conditions for driving on certain
38 highways.

39 **Sec. 92.** NRS 424.250 is hereby amended to read as follows:

40 424.250 1. A provider of foster care shall not use physical
41 restraint on a child placed with the provider unless the child presents
42 an imminent threat of danger of harm to himself or herself or others.

43 2. A foster care agency shall notify the licensing authority or
44 its designee when any serious incident, accident , *motor vehicle*
45 *crash* or injury occurs to a child in its care within 24 hours after the



1 incident, accident , *motor vehicle crash* or injury. The foster care
2 agency shall provide a written report to the licensing authority or its
3 designee as soon as practicable after notifying the licensing
4 authority or its designee. The written report must include, without
5 limitation, the date and time of the incident, accident , *motor vehicle*
6 *crash* or injury, any action taken as a result of the incident, accident
7 , *motor vehicle crash* or injury, the name of the employee of the
8 foster care agency who completed the written report and the name of
9 the employee of the licensing authority or its designee who was
10 notified.

11 3. A foster care agency shall report any potential violation of
12 the provisions of this chapter or any regulations adopted pursuant
13 thereto relating to licensing to the licensing authority within 24
14 hours after an employee of the foster care agency becomes aware of
15 the potential violation. A foster care agency shall cooperate with the
16 licensing authority in its review of such reports and support each
17 foster home with which the foster care agency has a contract for the
18 placement of children in completing any action required to correct a
19 violation.

20 4. A foster care agency shall fully comply with any
21 investigation of a report of the abuse or neglect of a child pursuant
22 to NRS 432B.220.

23 **Sec. 93.** NRS 426.510 is hereby amended to read as follows:

24 426.510 1. Except as otherwise provided in subsections 2, 3
25 and 4, a person shall not:

26 (a) Use a service animal; or

27 (b) Carry or use on any street or highway or in any other public
28 place a cane or walking stick which is white or metallic in color, or
29 white tipped with red.

30 2. A person who is blind may use a service animal and a cane
31 or walking stick which is white or metallic in color, or white tipped
32 with red.

33 3. A person who is deaf may use a service animal.

34 4. A person with a physical disability may use a service
35 animal.

36 5. Any pedestrian who approaches or encounters a person who
37 is blind using a service animal or carrying a cane or walking stick,
38 white or metallic in color, or white tipped with red, shall
39 immediately come to a full stop and take such precautions before
40 proceeding as may be necessary to avoid accident , *motor vehicle*
41 *crash* or injury to the person who is blind.

42 6. Any person other than a person who is blind who:

43 (a) Uses a service animal or carries a cane or walking stick such
44 as is described in this section, contrary to the provisions of this
45 section;



(b) Fails to heed the approach of a person using a service animal or carrying such a cane as is described by this section;

(c) Fails to come to a stop upon approaching or coming in contact with a person so using a service animal or so carrying such a cane or walking stick; or

(d) Fails to take precaution against accident , *motor vehicle crash* or injury to such a person after coming to a stop as provided for in this section,

➔ is guilty of a misdemeanor.

7. This section does not apply to any person who is instructing a person who is blind, person who is deaf or person with a physical disability or training a service animal.

Sec. 94. NRS 428.010 is hereby amended to read as follows:

428.010 1. Except as otherwise provided in NRS 422.382, to the extent that money may be lawfully appropriated by the board of county commissioners for this purpose pursuant to NRS 428.050, 428.285 and 450.425, every county shall provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease , ~~for~~ accident ~~or~~ *motor vehicle crash*, lawfully resident therein, when those persons are not supported or relieved by their relatives or guardians, by their own means, or by state hospitals, or other state, federal or private institutions or agencies.

2. Except as otherwise provided in NRS 439B.330, the boards of county commissioners of the several counties shall establish and approve policies and standards, prescribe a uniform standard of eligibility, appropriate money for this purpose and appoint agents who will develop regulations and administer these programs to provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease , ~~for~~ accident ~~or~~ *motor vehicle crash*.

Sec. 95. NRS 428.165 is hereby amended to read as follows:

428.165 "Injury in a motor vehicle ~~for~~ *accident*" *crash*" means any personal injury ~~for~~ *accidentally* caused in, by or as the proximate result of the movement of a motor vehicle on a public street or highway, whether the injured person was the operator of the vehicle or another vehicle, a passenger in the vehicle or another vehicle, a pedestrian, or had some other relationship to the movement of a vehicle.

Sec. 96. NRS 428.215 is hereby amended to read as follows:

428.215 Whenever hospital care is furnished to a person on account of an injury suffered by the person in a motor vehicle ~~for~~ *accident*, *crash*, the hospital shall use reasonable diligence to collect the amount of the charges for that care from the patient or any other person responsible for the support of the patient. The



1 hospital may request the board of county commissioners of the
2 county in which:

3 1. The ~~faceident~~ crash occurred, if the person is not a resident
4 of this state and the ~~faceident~~ crash occurred in this state; or

5 2. The person resides, if the person is a resident of this state,
6 ➔ to determine whether the person who received the care is an
7 indigent person.

8 **Sec. 97.** NRS 428.255 is hereby amended to read as follows:

9 428.255 1. Any reimbursement or partial reimbursement
10 made from the Fund for unpaid charges for hospital care furnished
11 to a person which are not greater than \$3,000, is a charge upon the
12 county in which:

13 (a) The ~~faceident~~ crash occurred, if the person is not a resident
14 of this state and the ~~faceident~~ crash occurred in this state; or

15 (b) The person resides, if the person is a resident of this state,
16 ➔ and must be paid to the Fund upon a claim presented by the
17 Board as other claims against the county are paid.

18 2. Money paid by a county pursuant to this section must be
19 accounted for separately and expended in accordance with the
20 provisions of subsection 3 of NRS 428.175.

21 **Sec. 98.** NRS 432A.500 is hereby amended to read as follows:

22 432A.500 1. A field administrator shall ensure that each
23 group of clients does not hike beyond the physical limitations of the
24 weakest member of the group. If the outdoor temperature is greater
25 than 90 degrees Fahrenheit, clients must not be allowed to hike
26 between 10 a.m. and 6 p.m.

27 2. The field staff shall:

28 (a) Provide clients with daily instruction upon:

29 (1) Federal, state and local laws and regulations for the
30 protection of the environment; and

31 (2) Conducting themselves in such a manner as not to have
32 an adverse effect on the environment.

33 (b) Maintain a common daily log of all accidents, *motor vehicle*
34 *crashes*, injuries, administrations of medication, behavioral
35 problems and any unusual incidents that occur. The log must be in
36 bound form, except that a log may be recorded electronically while
37 on an expedition if it is transcribed into a bound volume
38 immediately after the expedition. All entries must be in permanent
39 ink and signed by the entrant. A provider or field administrator
40 shall, upon request, allow any authorized member or employee of
41 the Division to inspect the log, and shall not allow any person to
42 alter or destroy the log or any of its entries.

43 (c) While on an expedition, carry an itinerary of the expedition,
44 including the intended schedule, and a map of the route for the
45 expedition.



Sec. 99. NRS 433.484 is hereby amended to read as follows:

433.484 Each consumer admitted for evaluation, treatment or training to a facility has the following rights concerning care, treatment and training, a list of which must be prominently posted in all facilities providing those services and must be otherwise brought to the attention of the consumer by such additional means as prescribed by regulation:

1. To medical, psychosocial and rehabilitative care, treatment and training including prompt and appropriate medical treatment and care for physical and mental ailments and for the prevention of any illness or disability. All of that care, treatment and training must be consistent with standards of practice of the respective professions in the community and is subject to the following conditions:

(a) Before instituting a plan of care, treatment or training or carrying out any necessary surgical procedure, express and informed consent must be obtained in writing from:

(1) The consumer if he or she is 18 years of age or over or legally emancipated and competent to give that consent, and from the consumer's legal guardian, if any;

(2) The parent or guardian of a consumer under 18 years of age and not legally emancipated; or

(3) The legal guardian of a consumer of any age who has been adjudicated mentally incompetent;

(b) An informed consent requires that the person whose consent is sought be adequately informed as to:

(1) The nature and consequences of the procedure;

(2) The reasonable risks, benefits and purposes of the procedure; and

(3) Alternative procedures available;

(c) The consent of a consumer as provided in paragraph (b) may be withdrawn by the consumer in writing at any time with or without cause;

(d) Even in the absence of express and informed consent, a licensed and qualified physician may render emergency medical care or treatment to any consumer who has been injured in an accident *or motor vehicle crash* or who is suffering from an acute illness, disease or condition, if within a reasonable degree of medical certainty, delay in the initiation of emergency medical care or treatment would endanger the health of the consumer and if the treatment is immediately entered into the consumer's record of treatment, subject to the provisions of paragraph (e); and

(e) If the proposed emergency medical care or treatment is deemed by the chief medical officer of the facility to be unusual, experimental or generally occurring infrequently in routine medical practice, the chief medical officer shall request consultation from



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1 other physicians or practitioners of healing arts who have
2 knowledge of the proposed care or treatment.

3 2. To be free from abuse, neglect and aversive intervention.

4 3. To consent to the consumer's transfer from one facility to
5 another, except that the Administrator of the Division of Public and
6 Behavioral Health of the Department or the Administrator's
7 designee, or the Administrator of the Division of Child and Family
8 Services of the Department or the Administrator's designee, may
9 order a transfer to be made whenever conditions concerning care,
10 treatment or training warrant it. If the consumer in any manner
11 objects to the transfer, the person ordering it must enter the
12 objection and a written justification of the transfer in the consumer's
13 record of treatment and immediately forward a notice of the
14 objection to the Administrator who ordered the transfer, and the
15 Commission shall review the transfer pursuant to subsection 3 of
16 NRS 433.534.

17 4. Other rights concerning care, treatment and training as may
18 be specified by regulation of the Commission.

19 **Sec. 100.** NRS 435.570 is hereby amended to read as follows:

20 435.570 Each consumer admitted for evaluation, treatment or
21 training to a facility has the following rights concerning care,
22 treatment and training, a list of which must be prominently posted in
23 all facilities providing those services and must be otherwise brought
24 to the attention of the consumer by such additional means as
25 prescribed by regulation:

26 1. To medical, psychosocial and rehabilitative care, treatment
27 and training including prompt and appropriate medical treatment
28 and care for physical and mental ailments and for the prevention of
29 any illness or disability. All of that care, treatment and training must
30 be consistent with standards of practice of the respective professions
31 in the community and is subject to the following conditions:

32 (a) Before instituting a plan of care, treatment or training or
33 carrying out any necessary surgical procedure, express and informed
34 consent must be obtained in writing from:

35 (1) The consumer if he or she is 18 years of age or over or
36 legally emancipated and competent to give that consent, and from
37 the consumer's legal guardian, if any;

38 (2) The parent or guardian of a consumer under 18 years of
39 age and not legally emancipated; or

40 (3) The legal guardian of a consumer of any age who has
41 been adjudicated mentally incompetent;

42 (b) An informed consent requires that the person whose consent
43 is sought be adequately informed as to:

44 (1) The nature and consequences of the procedure;



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(2) The reasonable risks, benefits and purposes of the procedure; and

(3) Alternative procedures available;

(c) The consent of a consumer as provided in paragraph (b) may be withdrawn by the consumer in writing at any time with or without cause;

(d) Even in the absence of express and informed consent, a licensed and qualified physician may render emergency medical care or treatment to any consumer who has been injured in an accident *or motor vehicle crash* or who is suffering from an acute illness, disease or condition if, within a reasonable degree of medical certainty, delay in the initiation of emergency medical care or treatment would endanger the health of the consumer and if the treatment is immediately entered into the consumer's record of treatment, subject to the provisions of paragraph (e); and

(e) If the proposed emergency medical care or treatment is deemed by the chief medical officer of the facility to be unusual, experimental or generally occurring infrequently in routine medical practice, the chief medical officer shall request consultation from other physicians or practitioners of healing arts who have knowledge of the proposed care or treatment.

2. To be free from abuse, neglect and aversive intervention.

3. To consent to the consumer's transfer from one facility to another, except that the Administrator of the Division or the Administrator's designee, or the Administrator of the Division of Child and Family Services of the Department or the Administrator's designee, may order a transfer to be made whenever conditions concerning care, treatment or training warrant it. If the consumer in any manner objects to the transfer, the person ordering it must enter the objection and a written justification of the transfer in the consumer's record of treatment and immediately forward a notice of the objection to the Administrator who ordered the transfer, and the Commission on Behavioral Health shall review the transfer pursuant to subsection 3 of NRS 435.610.

4. Other rights concerning care, treatment and training as may be specified by regulation.

Sec. 101. NRS 439B.280 is hereby amended to read as follows:

439B.280 The major hospitals shall sponsor an educational program to promote wellness, physical fitness and the prevention of disease , ~~and~~ accidents ~~and~~ *and motor vehicle crashes*. The program must be:

1. Administered and carried out by the participating hospitals; and

2. Approved by the Director.



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1 **Sec. 102.** NRS 445B.100 is hereby amended to read as
2 follows:

3 445B.100 1. It is the public policy of the State of Nevada and
4 the purpose of NRS 445B.100 to 445B.640, inclusive, to achieve
5 and maintain levels of air quality which will protect human health
6 and safety, prevent injury to plant and animal life, prevent damage
7 to property, and preserve visibility and scenic, esthetic and historic
8 values of the State.

9 2. It is the intent of NRS 445B.100 to 445B.640, inclusive, to:

10 (a) Require the use of reasonably available methods to prevent,
11 reduce or control air pollution throughout the State of Nevada;

12 (b) Maintain cooperative programs between the State and its
13 local governments; and

14 (c) Facilitate cooperation across jurisdictional lines in dealing
15 with problems of air pollution not confined within a single
16 jurisdiction.

17 3. The quality of air is declared to be affected with the public
18 interest, and NRS 445B.100 to 445B.640, inclusive, are enacted in
19 the exercise of the police power of this State to protect the health,
20 peace, safety and general welfare of its people.

21 4. It is also the public policy of this State:

22 (a) To provide for the integration of all programs for the
23 prevention of accidents *and motor vehicle crashes* in this State
24 involving chemicals, including, without limitation, accidents *and*
25 *motor vehicle crashes* involving hazardous air pollutants, highly
26 hazardous chemicals, highly hazardous substances and extremely
27 hazardous substances; and

28 (b) Periodically to retire a portion of the emission credits or
29 allocations specified in NRS 445B.235 that may otherwise be
30 available for banking or for sale pursuant to that section.

31 **Sec. 103.** NRS 450.400 is hereby amended to read as follows:

32 450.400 1. When the privileges and use of the hospital are
33 extended to a resident of another county who is reasonably believed
34 to be indigent, as defined in NRS 439B.310, and who is:

35 (a) Entitled under the laws of this state to relief, support, care,
36 nursing, medicine or medical or surgical aid from the other county;
37 or

38 (b) Injured, maimed or falls sick in the other county,
39 ↳ the governing head shall notify the board of county
40 commissioners of that county within 3 working days after the person
41 is admitted to that hospital.

42 2. The notice must be in writing and addressed to the board of
43 county commissioners of that county.

44 3. Except in the case of an injury suffered in a motor vehicle
45 ~~accident,~~ *crash*, the board of county commissioners receiving the



1 notice shall cause the person to be removed immediately to that
2 county, and shall pay a reasonable sum to the hospital for the
3 temporary occupancy, care, nursing, medicine, and attendance, other
4 than medical or surgical attendance, furnished to the person.

5 4. If the board of county commissioners neglects or refuses to
6 remove the person, or if in the opinion of the attending physician it
7 is not advisable to remove the person, the governing head has a legal
8 claim against the county for all charges for occupancy, nursing,
9 care, medicine, and attendance, other than medical or surgical
10 attendance, necessarily furnished, and may recover those charges in
11 a suit at law.

12 **Sec. 104.** NRS 455.103 is hereby amended to read as follows:

13 455.103 "Unexpected occurrence" includes, but is not limited
14 to, fire, flood, earthquake or other cause of the movement of the
15 soil, or a riot, an accident , *a motor vehicle crash* or an act of
16 sabotage that causes damage to a subsurface installation which
17 requires immediate repair.

18 **Sec. 105.** NRS 455B.470 is hereby amended to read as
19 follows:

20 455B.470 1. A person using a recreation area who is
21 involved in a ~~collision~~ *motor vehicle crash* or an accident in which
22 another person is injured shall provide his or her name and current
23 address to the injured person and the operator or an authorized agent
24 or employee of the operator:

25 (a) Before the person leaves the vicinity of the ~~collision~~ *crash*
26 or accident; or

27 (b) As soon as reasonably possible after leaving the vicinity of
28 the ~~collision~~ *crash* or accident to secure aid for the injured person.

29 2. A person who violates a provision of this section is guilty of
30 a misdemeanor.

31 **Sec. 106.** NRS 459.38195 is hereby amended to read as
32 follows:

33 459.38195 1. The Division may investigate an accident *or a*
34 *motor vehicle crash* occurring in connection with a process that
35 involves one or more highly hazardous substances or explosives at a
36 facility which results in an uncontrolled emission, fire or explosion
37 and which presented an imminent and substantial danger to the
38 health of the employees of the facility, the public health or the
39 environment, to determine the cause of the accident *or motor*
40 *vehicle crash* if the owner or operator of the facility:

41 (a) Is unwilling to commence and has not commenced an
42 investigation in a timely manner; or

43 (b) Is not capable of and has not retained expertise capable of
44 conducting an investigation.



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2. If the Division chooses to conduct such an investigation, the owner or operator of the facility shall, in a manner consistent with the safety of the employees of the Division and the facility, and without placing an undue burden on the operation of the facility, cooperate with the Division by:

(a) Allowing the Division:

(1) To investigate the accident *or crash* site and directly related facilities, including, without limitation, control rooms;

(2) To examine physical evidence; and

(3) If practicable, to inspect equipment both externally and internally;

(b) Providing the Division with pertinent documents; and

(c) Allowing the Division to conduct independent interviews of the employees of the facility, subject to all rights of the facility and the employees to be represented by legal counsel, management representatives and union representatives during the interviews.

3. To the maximum extent feasible, the Division shall coordinate any investigation it conducts pursuant to this section with investigations conducted by other agencies with jurisdiction over the facility to minimize any adverse impact on the facility and its employees.

4. The Division may contract for the services of a technical expert in conducting an investigation pursuant to this section and may recover its costs for such services from the owner or operator of the facility.

5. If an investigation is conducted by the Division pursuant to this section, all costs incurred by the Division in conducting the investigation, including, without limitation, the costs of services provided pursuant to subsection 4, may be recovered by the Division from the owner or operator of the facility at which the accident *or crash* occurred.

6. The State Environmental Commission may adopt regulations setting forth the procedures governing an investigation conducted by the Division pursuant to this section and the procedures for the recovery by the Division of all costs incurred by the Division in conducting the investigation.

Sec. 107. NRS 459.3864 is hereby amended to read as follows:

459.3864 1. When there is an accident *or motor vehicle crash* which poses a significant danger to public health and safety, or a near accident *or motor vehicle crash* of this nature, in a facility or a group of facilities, or when the Governor declares that a committee to oversee the management of risks in a facility, or group of facilities, would be in the best interests of the public health and safety, the Governor shall create such a committee for the facility or



1 group of facilities which may represent a catastrophic threat to
2 public health and safety.

3 2. To the extent practicable, the Governor shall appoint the
4 members of the committee from the membership of the State
5 Emergency Response Commission.

6 3. The Governor shall appoint to the committee at least three
7 persons who represent the facility or group of facilities which may
8 represent a catastrophic threat to public health and safety.

9 4. The Governor shall appoint the chair and may appoint a co-
10 chair of the committee from among the members.

11 5. The Division shall provide to the committee necessary
12 resources such as clerical assistance and funding sufficient for the
13 committee to perform its duties.

14 **Sec. 108.** NRS 459.500 is hereby amended to read as follows:

15 459.500 1. Except as otherwise provided in NRS 459.700 to
16 459.780, inclusive, or 459.800 to 459.856, inclusive:

17 (a) Regulations of the Commission must provide:

18 (1) For safety in the packaging, handling, transportation and
19 disposal of hazardous waste;

20 (2) For the certification of consultants involved in
21 consultation regarding the response to and the clean up of leaks of
22 hazardous waste, hazardous material or a regulated substance from
23 underground storage tanks, the clean up of spills of or accidents **or**
24 **motor vehicle crashes** involving hazardous waste, hazardous
25 material or a regulated substance, or the management of hazardous
26 waste;

27 (3) That a person employed full-time by a business to act as
28 such a consultant is exempt from the requirements of certification if
29 the person:

30 (I) Meets the applicable requirements of 29 C.F.R. §
31 1910.120 to manage such waste, materials or substances; and

32 (II) Is acting in the course of that full-time employment;
33 and

34 (4) For the certification of laboratories that perform analyses
35 for the purposes of NRS 459.400 to 459.600, inclusive, 459.610 to
36 459.658, inclusive, and 459.800 to 459.856, inclusive, to identify
37 whether waste is hazardous waste or to detect the presence of
38 hazardous waste or a regulated substance in soil or water.

39 (b) Regulations of the Commission may:

40 (1) Provide for the licensing and other necessary regulation
41 of generators, including shippers and brokers, who cause that waste
42 to be transported into or through Nevada or for disposal in Nevada;

43 (2) Require that the person responsible for a spill, leak, ~~for~~
44 accident **or motor vehicle crash** involving hazardous waste,
45 hazardous material or a regulated substance, obtain advice on the



1 proper handling of the spill, leak , ~~for~~ accident *or motor vehicle*
2 *crash* from a consultant certified under the regulations adopted
3 pursuant to paragraph (a); and

4 (3) Establish standards relating to the education, experience,
5 performance and financial responsibility required for the
6 certification of consultants.

7 2. The regulations may include provisions for:

8 (a) Fees to pay the cost of inspection, certification and other
9 regulation, excluding any activities conducted pursuant to NRS
10 459.7052 to 459.728, inclusive; and

11 (b) Administrative penalties of not more than \$2,500 per
12 violation or \$10,000 per shipment for violations by persons licensed
13 by the Department, and the criminal prosecution of violations of its
14 regulations by persons who are not licensed by the Department.

15 3. Designated employees of the Department and the Nevada
16 Highway Patrol Division shall enforce the regulations of the
17 Commission relating to the transport and handling of hazardous
18 waste and the leakage or spill of that waste from packages.

19 **Sec. 109.** NRS 459.512 is hereby amended to read as follows:

20 459.512 1. The owner or operator of a facility for the
21 management of hazardous waste shall, in addition to any other
22 applicable fees, pay to the Department to offset partially the cost
23 incurred by the State Fire Marshal for training emergency personnel
24 who respond to the scene of accidents *or motor vehicle crashes*
25 involving hazardous materials a fee of \$4.50 per ton of the volume
26 received for the disposal of hazardous waste by the facility.

27 2. The owner or operator of a facility for the management of
28 hazardous waste shall, in addition to any other applicable fees, pay
29 to the Department to offset partially the cost incurred by the Public
30 Utilities Commission of Nevada for inspecting and otherwise
31 ensuring the safety of any shipment of hazardous materials
32 transported by rail car through or within this State a fee of \$1.50 per
33 ton of the volume received for the disposal of hazardous waste by
34 the facility.

35 3. The operator of such a facility shall pay the fees provided in
36 this section, based upon the volume of hazardous waste received by
37 the facility during each quarter of the calendar year, within 30 days
38 after the end of each quarter. The Department may assess and
39 collect a penalty of 2 percent of the unpaid balance for each month,
40 or portion thereof, that the fee remains due.

41 **Sec. 110.** NRS 459.535 is hereby amended to read as follows:

42 459.535 1. Except as otherwise provided in NRS 459.537
43 and subsection 2 of this section, the money in the Account for the
44 Management of Hazardous Waste may be expended only to pay the
45 costs of:



(a) The continuing observation or other management of hazardous waste;

(b) Establishing and maintaining a program of certification of consultants involved in the clean up of leaks of hazardous waste, hazardous material or a regulated substance from underground storage tanks or the clean up of spills of or accidents *or motor vehicle crashes* involving hazardous waste, hazardous material or a regulated substance;

(c) Training persons to respond to accidents , *motor vehicle crashes* or other emergencies related to hazardous materials, including any basic training by the State Fire Marshal which is necessary to prepare personnel for advanced training related to hazardous materials;

(d) Establishing and maintaining a program by the Public Utilities Commission of Nevada to inspect and otherwise ensure the safety of any shipment of hazardous materials transported by rail car through or within the State; and

(e) Financial incentives and grants made in furtherance of the program developed pursuant to paragraph (c) of subsection 2 of NRS 459.485 for the minimization, recycling and reuse of hazardous waste.

2. Money in the Account for the Management of Hazardous Waste may be expended to provide matching money required as a condition of any federal grant for the purposes of NRS 459.800 to 459.856, inclusive, or for any other purpose authorized by the Legislature.

Sec. 111. NRS 459.537 is hereby amended to read as follows:

459.537 1. If the person responsible for a leak or spill of or an accident *or motor vehicle crash* involving hazardous waste, hazardous material or a regulated substance does not act promptly and appropriately to clean and decontaminate the affected area properly, and if his or her inaction presents an imminent and substantial hazard to human health, public safety or the environment, money from the Account for the Management of Hazardous Waste may be expended to pay the costs of:

(a) Responding to the leak, spill , ~~for~~ accident ~~for~~ *or crash*;

(b) Coordinating the efforts of state, local and federal agencies responding to the leak, spill , ~~for~~ accident ~~for~~ *or crash*;

(c) Managing the cleaning and decontamination of an area for the disposal of hazardous waste or the site of the leak, spill , ~~for~~ accident ~~for~~ *or crash*;

(d) Removing or contracting for the removal of hazardous waste, hazardous material or a regulated substance which presents an imminent danger to human health, public safety or the environment; or



(e) Services rendered in responding to the leak, spill, ~~for~~ accident ~~H~~ or crash, by consultants certified pursuant to regulations adopted by the Commission.

2. Except as otherwise provided in this subsection or NRS 459.610 to 459.658, inclusive, the Director shall demand reimbursement of the Account for money expended pursuant to subsection 1 from any person who is responsible for the accident, crash, leak or spill, or who owns or controls the hazardous waste, hazardous material or a regulated substance, or the area used for the disposal of the waste, material or substance. Payment of the reimbursement is due within 60 days after the person receives notice from the Director of the amount due. The provisions of this section do not apply to a spill or leak of or an accident or motor vehicle crash involving natural gas or liquefied petroleum gas while it is under the responsibility of a public utility.

3. At the request of the Director, the Attorney General shall initiate recovery by legal action of the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130 computed from the date of the incident.

4. As used in this section:

(a) "Does not act promptly and appropriately" means that the person:

(1) Cannot be notified of the incident within 2 hours after the initial attempt to contact the person;

(2) Does not, within 2 hours after receiving notification of the incident, make an oral or written commitment to clean and decontaminate the affected area properly;

(3) Does not act upon the commitment within 24 hours after making it;

(4) Does not clean and decontaminate the affected area properly; or

(5) Does not act immediately to clean and decontaminate the affected area properly, if his or her inaction presents an imminent and substantial hazard to human health, public safety or the environment.

(b) "Responding" means any efforts to mitigate, attempt to mitigate or assist in the mitigation of the effects of a leak or spill of or an accident or motor vehicle crash involving hazardous waste, hazardous material or a regulated substance, including, without limitation, efforts to:

(1) Contain and dispose of the hazardous waste, hazardous material or regulated substance.

(2) Clean and decontaminate the area affected by the leak, spill, ~~for~~ accident ~~H~~ or crash.



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(3) Investigate the occurrence of the leak, spill , ~~leak~~ accident
~~H~~ or crash.

Sec. 112. NRS 459.718 is hereby amended to read as follows:

459.718 1. A person responsible for the care, custody or control of a hazardous material which is involved in an accident , motor vehicle crash or incident occurring during the transportation of the hazardous material by a motor carrier, including any accident , motor vehicle crash or incident occurring during any loading, unloading or temporary storage of the hazardous material while it is subject to active shipping papers and before it has reached its ultimate consignee, shall notify the Division, consistent with the requirements of 49 C.F.R. § 171.15, as soon as practicable if, as a result of the hazardous material:

- (a) A person is killed;
- (b) A person receives injuries that require hospitalization;
- (c) Any damage to property exceeds \$50,000;
- (d) There is an evacuation of the general public for 1 hour or more;
- (e) One or more major transportation routes or facilities are closed or shut down for 1 hour or more;
- (f) There is an alteration in the operational flight pattern or routine of any aircraft;
- (g) Any radioactive contamination is suspected;
- (h) Any contamination by an infectious substance is suspected;
- (i) There is a release of a liquid marine pollutant in excess of 450 liters or a solid marine pollutant in excess of 400 kilograms; or
- (j) Any situation exists at the site of the accident , motor vehicle crash or incident which, in the judgment of the person responsible for the care, custody or control of the hazardous material, should be reported to the Division.

2. The notification required pursuant to this section must include:

- (a) The name of the person providing the notification;
- (b) The name and address of the motor carrier represented by that person;
- (c) The telephone number where that person can be contacted;
- (d) The date, time and location of the accident , crash or incident;
- (e) The extent of any injuries;
- (f) The classification, name and quantity of the hazardous material involved, if that information is available; and
- (g) The type of accident , crash or incident, the nature of the hazardous material involved and whether there is a continuing danger to life at the scene of the accident , crash or incident.



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3. A person may satisfy the requirements of this section by providing the information specified in subsection 2 to the person who responds to a telephone call placed to:

(a) The number 911 in an area where that number is used for emergencies; or

(b) The number zero in an area where the number 911 is not used for emergencies.

Sec. 113. NRS 459.735 is hereby amended to read as follows:

459.735 1. The Contingency Account for Hazardous Materials is hereby created in the State General Fund.

2. The Commission shall administer the Contingency Account for Hazardous Materials. Except as otherwise provided in subsection 4, the money in the Account may be expended for:

(a) Carrying out the provisions of NRS 459.735 to 459.773, inclusive;

(b) Carrying out the provisions of 42 U.S.C. §§ 11001 et seq. and 49 U.S.C. §§ 5101 et seq.;

(c) Maintaining and supporting the operations of the Commission and local emergency planning committees;

(d) Training and equipping state and local personnel to respond to accidents , *motor vehicle crashes* and incidents involving hazardous materials;

(e) The operation of training programs and a training center for handling emergencies relating to hazardous materials and related fires pursuant to NRS 477.045; and

(f) Any other purpose authorized by the Legislature.

3. All money received by this State pursuant to 42 U.S.C. §§ 11001 et seq. or 49 U.S.C. §§ 5101 et seq. must be deposited with the State Treasurer to the credit of the Contingency Account for Hazardous Materials. In addition, all money received by the Commission from any source must be deposited with the State Treasurer to the credit of the Contingency Account for Hazardous Materials. The State Controller shall transfer from the Contingency Account to the Operating Account of the State Fire Marshal such money collected pursuant to chapter 477 of NRS as is authorized for expenditure in the budget of the State Fire Marshal for use pursuant to paragraph (e) of subsection 2.

4. Any fees deposited with the State Treasurer for credit to the Contingency Account for Hazardous Materials pursuant to subsection 5 of NRS 482.379365 must be accounted for separately and must be expended to provide financial assistance to this State or to local governments in this State to support preparedness to combat terrorism, including, without limitation, planning, training and purchasing supplies and equipment, or for any other purpose authorized by the Legislature.



5. Upon the presentation of budgets in the manner required by law, money to support the operation of the Commission pursuant to this chapter, other than its provision of grants, must be provided by direct legislative appropriation from the State Highway Fund or other legislative authorization to the Contingency Account for Hazardous Materials.

6. The interest and income earned on the money in the Contingency Account for Hazardous Materials, after deducting any applicable charges, must be credited to the Account.

7. All claims against the Contingency Account for Hazardous Materials must be paid as other claims against the State are paid.

Sec. 114. NRS 459.748 is hereby amended to read as follows:

459.748 As used in NRS 459.750 to 459.770, inclusive:

1. "Does not act promptly and appropriately" means that the person:

(a) Cannot be notified of the incident within 2 hours after the initial attempt to contact the person;

(b) Does not, within 2 hours after receiving notification of the incident, make an oral or written commitment to clean and decontaminate the affected area properly;

(c) Does not act upon the commitment within 24 hours after making it;

(d) Does not clean and decontaminate the affected area properly; or

(e) Does not act immediately to clean and decontaminate the affected area properly, if the inaction of the person presents an imminent and substantial hazard to human health, public safety or the environment.

2. "Responding" means any efforts to mitigate, attempt to mitigate or assist in the mitigation of the effects of a spill of or accident *or motor vehicle crash* involving hazardous material, including, without limitation, efforts to:

(a) Contain and dispose of the hazardous material.

(b) Clean and decontaminate the area affected by the spill, ~~spill~~ accident *or crash*.

(c) Investigate the occurrence of the spill, ~~spill~~ accident *or crash*.

Sec. 115. NRS 459.750 is hereby amended to read as follows:

459.750 Any person who possessed or had in his or her care any hazardous material involved in a spill, ~~spill~~ accident *or motor vehicle crash* requiring the cleaning and decontamination of the affected area is responsible for that cleaning and decontamination.

Sec. 116. NRS 459.755 is hereby amended to read as follows:

459.755 If the person responsible for hazardous material involved in a spill, ~~spill~~ accident *or motor vehicle crash* does not



1 act promptly and appropriately to clean and decontaminate the
2 affected area, and if the inaction of the person presents an imminent
3 and substantial hazard to human health, public safety, any property
4 or the environment, money from the Contingency Account for
5 Hazardous Materials may be expended to pay the costs of:

6 1. Responding to a spill of or an accident *or motor vehicle*
7 *crash* involving hazardous material;

8 2. Coordinating the efforts of state, local and federal agencies
9 responding to a spill of or an accident *or motor vehicle crash*
10 involving hazardous material;

11 3. Managing the cleaning and decontamination of an area for
12 the disposal of hazardous material or the site of a spill of or an
13 accident *or motor vehicle crash* involving hazardous material; or

14 4. Removing or contracting for the removal of hazardous
15 material which presents an imminent danger to human health, public
16 safety or the environment.

17 **Sec. 117.** NRS 459.760 is hereby amended to read as follows:

18 459.760 1. Except as otherwise provided in this subsection,
19 any state agency accruing expenses in responding to a spill of or an
20 accident *or motor vehicle crash* involving hazardous material may
21 present an itemized accounting of those expenses with a demand for
22 reimbursement of those expenses to the person responsible for the
23 hazardous material. Payment of the reimbursement must be made
24 within 60 days after the person receives notice from the agency of
25 the amount due. The provisions of this section do not apply to a spill
26 of or an accident *or motor vehicle crash* involving natural gas or
27 liquefied petroleum gas while it is under the responsibility of a
28 public utility.

29 2. If the state agency cannot recover the full amount of
30 reimbursement from the person responsible, it may report to the
31 Commission its need for additional funding. The Commission shall
32 notify the Senate Standing Committee on Finance and the Assembly
33 Standing Committee on Ways and Means during a regular or special
34 session of the Legislature, or the Interim Finance Committee if the
35 Legislature is not in session, of the state agency's need for
36 additional funding.

37 3. At the request of the state agency, and at any time after the
38 payment for reimbursement is due, the Attorney General shall
39 initiate recovery by legal action of the amount of any unpaid
40 reimbursement plus interest at a rate determined pursuant to NRS
41 17.130 computed from the date of the incident.

42 **Sec. 118.** NRS 459.765 is hereby amended to read as follows:

43 459.765 Any reimbursement and penalty recovered by the
44 Attorney General from a person responsible for hazardous material
45 involved in a spill or accident *or motor vehicle crash* must be



1 deposited with the State Treasurer for credit to the Contingency
2 Account for Hazardous Materials.

3 **Sec. 119.** NRS 459.770 is hereby amended to read as follows:

4 459.770 Any county or city in this State may adopt an
5 ordinance authorizing its legal representative to initiate recovery by
6 legal action from the person responsible for any hazardous material
7 involved in a spill , ~~tot~~ accident *or motor vehicle crash* of the
8 amount of any costs incurred by the county or city in responding to
9 the spill of or accident *or motor vehicle crash* involving hazardous
10 material.

11 **Sec. 120.** NRS 459.773 is hereby amended to read as follows:

12 459.773 1. The State Fire Marshal shall, in cooperation with
13 local fire departments, develop a reference guide for use by state
14 and local personnel who respond to accidents , *motor vehicle*
15 *crashes* and incidents involving hazardous materials. The reference
16 guide must provide information which is readily accessible
17 regarding procedures for responding to the first critical moments of
18 an accident , *motor vehicle crash* or incident involving hazardous
19 materials.

20 2. The State Fire Marshal shall make available, upon request,
21 the reference guide developed pursuant to subsection 1 to local
22 governments, state and local personnel who respond to accidents ,
23 *motor vehicle crashes* and incidents involving hazardous materials
24 and students enrolled in training programs for responding to
25 accidents , *motor vehicle crashes* and incidents involving hazardous
26 materials.

27 **Sec. 121.** NRS 459.930 is hereby amended to read as follows:

28 459.930 1. Notwithstanding any other provision of law to the
29 contrary and regardless of whether he or she is a participant in a
30 program, a person who:

31 (a) Is a bona fide prospective purchaser is not liable for any
32 response action or cleanup that may be required with respect to any
33 real property pursuant to NRS 445A.300 to 445A.730, inclusive,
34 445B.100 to 445B.640, inclusive, 459.400 to 459.600, inclusive, or
35 any other applicable provision of law.

36 (b) Is an innocent purchaser is not liable for any response action
37 or cleanup that may be required with respect to any real property
38 pursuant to NRS 445A.300 to 445A.730, inclusive, 445B.100 to
39 445B.640, inclusive, 459.400 to 459.600, inclusive, or any other
40 applicable provision of law.

41 (c) Owns real property that:

42 (1) Is contiguous to or otherwise similarly situated with
43 respect to; and

44 (2) Is or may be contaminated by a release or threatened
45 release of a hazardous substance from,



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1 ➤ other real property that the person does not own, is not liable for
2 any response action or cleanup that may be required with respect to
3 the release or threatened release, provided that the person meets the
4 requirements set forth in section 107(q)(1) of the Comprehensive
5 Environmental Response, Compensation, and Liability Act of 1980,
6 42 U.S.C. § 9607(q)(1).

7 2. A person described in paragraph (a), (b) or (c) of subsection
8 1 shall report to the Division, in a manner prescribed by the
9 Commission:

10 (a) Any of the following substances that are found on or at real
11 property owned by the person:

12 (1) Hazardous substances at or above the required reporting
13 levels designated pursuant to sections 102 and 103 of the
14 Comprehensive Environmental Response, Compensation, and
15 Liability Act of 1980, 42 U.S.C. §§ 9602 and 9603; and

16 (2) Petroleum products of such type and in such amount as
17 are required by the Division to be reported; and

18 (b) Any response action or cleanup that has been performed with
19 respect to the real property described in paragraph (a).

20 3. The provisions of this section do not otherwise limit the
21 authority of the Administrator, the Commission or the Division to
22 require any person who is responsible for the contamination or
23 pollution of real property, by improperly managing hazardous
24 substances at or on that real property, to perform a response action
25 or cleanup with respect to that real property.

26 4. If there are costs relating to a response action or cleanup that
27 are incurred and unrecovered by the State of Nevada with respect to
28 real property for which a bona fide prospective purchaser of the real
29 property is not liable pursuant to the provisions of this section, the
30 State of Nevada:

31 (a) Has a lien against that real property in an amount not to
32 exceed the increase in the fair market value of the real property that
33 is attributable to the response action or cleanup, which increase in
34 fair market value must be measured at the time of the sale or other
35 disposition of the real property; or

36 (b) May, with respect to those incurred and unrecovered costs
37 and by agreement with the bona fide prospective purchaser of the
38 real property, obtain from that bona fide prospective purchaser:

39 (1) A lien on any other real property owned by the bona fide
40 prospective purchaser; or

41 (2) Another form of assurance or payment that is satisfactory
42 to the Administrator.

43 5. The provisions of this section:

44 (a) Do not affect the liability in tort of any party; and



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(b) Apply only to real property that is acquired on or after the date that is 60 days after May 26, 2003.

6. As used in this section:

(a) "Administrator" means the Administrator of the Division.

(b) "Bona fide prospective purchaser" has the meaning ascribed to it in section 101(40) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601(40).

(c) "Commission" means the State Environmental Commission.

(d) "Division" means the Division of Environmental Protection of the State Department of Conservation and Natural Resources.

(e) "Hazardous substance" has the meaning ascribed to it in NRS 459.620.

(f) "Innocent purchaser" means a person who qualifies for the exemption from liability set forth in section 107(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9607(b)(3).

(g) "Participant" has the meaning ascribed to it in NRS 459.622.

(h) "Program" means a program of voluntary cleanup and relief from liability set forth in NRS 459.610 to 459.658, inclusive.

(i) "Response action" means any action to mitigate, attempt to mitigate or assist in the mitigation of the effects of a leak or spill of or an accident *or motor vehicle crash* involving a hazardous substance, including, without limitation, any action to:

(1) Contain and dispose of the hazardous substance;

(2) Clean and decontaminate the area affected by the leak, spill, ~~or~~ accident ~~or~~ *or crash*; or

(3) Investigate the occurrence of the leak, spill, ~~or~~ accident ~~or~~ *or crash*.

Sec. 122. NRS 590.615 is hereby amended to read as follows:

590.615 When the Board finds, under such conditions as may arise, a variation from its rules, regulations or specifications which does not impair the safety of the public and persons using the materials which would otherwise be secure by compliance with such rules, regulations or specifications, the Board may, upon written application, consideration and investigation, grant a variance from the terms of the rules, regulations or specifications on such conditions as it may specify to insure the safety of the public and persons using the materials or services. In granting the variance, the Board shall take into consideration one or more of the following circumstances or conditions and the application shall specify which of them are relied upon:

1. The purpose and meaning embodied in the regulation from which the variance is requested and its relative importance in balancing the interests of the licensee and the community or public.



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2. The reasons why the rules, regulations or specifications cannot be complied with.

3. If a consumer tank is involved, whether or not a fire hazard will be created or is maintained.

4. The openings which may or may not be made into any buildings below any regulator or container vents.

5. Whether or not the adjacent walls or exposures are fireproof.

6. Whether or not the installation will be safe in the event the variance is allowed.

7. Whether or not the installation will be exposed to ~~collision~~ *crashes* by moving vehicles.

8. Any other factors or considerations which impose a hardship on the licensee or which the Board deems appropriate for the granting of a variance.

Sec. 123. NRS 618.015 is hereby amended to read as follows:

618.015 1. It is the purpose of this chapter to provide safe and healthful working conditions for every employee by:

(a) Establishing regulations;

(b) Effectively enforcing such regulations;

(c) Educating and training employees; and

(d) Establishing reporting procedures for job-related accidents , *motor vehicle crashes* and illnesses.

2. The Legislature finds that such safety and health in employment is a matter greatly affecting the public interest of this State.

Sec. 124. NRS 618.378 is hereby amended to read as follows:

618.378 1. Any accident *or motor vehicle crash* occurring in the course of employment which is fatal to one or more employees or which results in the hospitalization of three or more employees must be reported by the employer orally to the nearest office of the Division within 8 hours after the time that the accident *or crash* is reported to any agent or employee of the employer. A report submitted to the Division pursuant to the provisions of this subsection must include:

(a) The name of the employer;

(b) The location and time of the accident ~~+~~ *or crash*;

(c) The number of employees killed or hospitalized as a result of the accident ~~+~~ *or crash*;

(d) A brief description of the accident ~~+~~ *or crash*; and

(e) The name of a person who may be contacted by the Division for further information.

➔ Upon receipt of such a report, the Division shall notify the employer of the estimated time that the Division's investigator will arrive at the site of the accident ~~+~~ *or crash*. The Division shall



1 initiate an investigation at the site of the accident *or crash* within 8
2 hours after receiving the report.

3 2. An industrial insurer shall provide to the Division a monthly
4 report setting forth the number, type and severity of industrial
5 injuries and occupational diseases reported or claimed by employees
6 in the preceding month. The report must identify the employer and
7 be sorted according to the employer's Standard Industrial
8 Classification or classification for the purposes of industrial
9 insurance. The Division shall by regulation prescribe the form for
10 the report made pursuant to this subsection. As used in this
11 subsection, "industrial insurer" has the meaning ascribed to the term
12 "insurer" in NRS 616A.270.

13 3. All employers shall maintain accurate records and make
14 reports to the United States Assistant Secretary of Labor in the same
15 manner and to the same extent as if this chapter were not in effect.

16 4. The Division shall make such reasonable reports to the
17 Assistant Secretary of Labor in such form and containing such
18 information as the Assistant Secretary of Labor may from time to
19 time require.

20 5. Requests for variances to federal recordkeeping and
21 reporting regulations must be submitted to and obtained from the
22 Bureau of Labor Statistics, United States Department of Labor. All
23 variances granted by the Bureau of Labor Statistics must be
24 respected by the Division.

25 **Sec. 125.** NRS 618.3785 is hereby amended to read as
26 follows:

27 618.3785 1. If an accident *or motor vehicle crash* occurs in
28 the course of employment which is fatal to one or more employees
29 or which results in the hospitalization of three or more injured
30 employees, the Division shall, as soon as practicable:

31 (a) Provide to each injured employee, the immediate family of
32 each deceased or injured employee and each representative of each
33 deceased or injured employee a written description of the rights of
34 such persons with regard to an investigation of the accident ~~or~~ *or*
35 *crash*; and

36 (b) Notify each injured employee, the immediate family of each
37 deceased or injured employee and each representative of each
38 deceased or injured employee of:

39 (1) The commencement by the Division of any investigation
40 of the accident ~~or~~ *or crash*;

41 (2) The result of any informal conference between the
42 employer and the Division;

43 (3) The finalization of any agreement between an employer
44 and the Division which formally settles an issue related to the
45 accident ~~or~~ *or crash*;



(4) The issuance of any citation under the provisions of this chapter related to the accident ~~H~~ *or crash*;

(5) The receipt by the Division of notice from an employer that the employer wishes to contest or appeal any action or decision of the Division which relates to the accident ~~H~~ *or crash*; and

(6) The completion by the Division and, if applicable, the Board of any investigation of the accident *or crash* and any proceeding related to the accident ~~H~~ *or crash*.

2. As used in this section, "representative of each deceased or injured employee" means:

(a) A person previously identified to the Division as an authorized representative of the employee bargaining unit of a labor organization which has a collective bargaining relationship with the employer of the employee and represents the employee.

(b) An attorney acting on behalf of the employee.

(c) A person designated by a court to act as the official representative for the employee or the estate of the employee.

Sec. 126. NRS 618.379 is hereby amended to read as follows:

618.379 1. Except as otherwise provided in subsection 2, if any accident *or motor vehicle crash* occurring in the course of employment is fatal to one or more employees or results in the hospitalization of three or more employees, and is caused, in whole or in part, by any equipment located at the site of the accident ~~H~~ *or crash*, no person may dismantle or otherwise move that equipment until the Division has investigated the accident *or crash* and has authorized the dismantling or removal of the equipment.

2. The provisions of subsection 1 do not apply if the dismantling or removal of the equipment is necessary to free any person trapped by the equipment or to ensure the safety of or to prevent further injury to any person. If any equipment is dismantled or moved to free a trapped person, the equipment may be dismantled or moved only to the extent necessary to free the person.

3. Upon the occurrence of an accident *or crash* described in subsection 1, the employer of an injured employee shall, upon the arrival of an investigator of the Division at the site of the accident ~~H~~ *or crash*, make available for questioning in a reasonable amount of time any person employed by the employer who is determined by the investigator to be necessary for the completion of the investigation, including the immediate supervisor of any injured employee and any employee who witnessed the accident ~~H~~ *or crash*.

4. As used in this section, "accident *or motor vehicle crash* occurring in the course of employment" does not include:

(a) An accident *or crash* involving a motor vehicle that is being operated on a public highway in this State.



(b) A homicide committed at an employer's place of business.

Sec. 127. NRS 618.475 is hereby amended to read as follows:

618.475 1. If, after an inspection or investigation, the Division issues a citation under the provisions of this chapter, it shall, within a reasonable time after the termination of the inspection or investigation, notify the employer by certified mail of the penalty, if any, proposed to be assessed under this chapter and that the employer has 15 working days within which to notify the Division that the employer wishes to contest the citation or proposed assessment of penalty. If, within 15 working days from the receipt of the notice issued by the Division, the employer fails to notify the Division that the employer intends to contest the citation or proposed assessment of penalty, and no notice is filed by any employee or representative of employees under this chapter within such time, the citation and assessment as proposed shall be deemed a final order of the review board and not subject to review by any court or agency. Upon a showing by an employer of a good faith effort to comply with the abatement requirements of a citation, and that the abatement has not been completed because of factors beyond the reasonable control of the employer, the Division shall issue an order affirming or modifying the abatement requirements in the citation.

2. In the case of an accident *or motor vehicle crash* occurring in the course of employment which is fatal to one or more employees, if an employer notifies the Division that the employer wishes to contest a citation or proposed assessment of penalty, the Division shall provide the Board with information as to how to contact the immediate family of each deceased employee.

3. Any employee or the representative of the employee alleging that the time fixed in the citation for the abatement of a violation by his or her employer is unreasonable may, within 15 working days after the date of posting of the notice of abatement pursuant to this chapter, file an appeal with the Division to contest the reasonableness of the period of time for abatement of the violation and must be notified in writing as to the time and place of hearing before the review board.

4. If no appeal is filed by an employee or the representative of the employee under subsection 2 of this section within the time limit of 15 working days, the period of time fixed for the abatement of the violation is final and not subject to review by any court or the review board.

Sec. 128. NRS 618.480 is hereby amended to read as follows:

618.480 1. During an investigation of an accident *or motor vehicle crash* occurring in the course of employment which is fatal to one or more employees, the Division shall use its best efforts to



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1 interview the immediate family of each deceased employee to obtain
2 any information relevant to the investigation, including, without
3 limitation, information which the deceased employee shared with
4 the immediate family.

5 2. If, after the investigation of the accident ~~H~~ *or crash*, the
6 Division issues a citation under the provisions of this chapter, the
7 Division shall offer to enter into a discussion with the immediate
8 family of each deceased employee within a reasonable time after the
9 Division issues the citation.

10 3. During the discussion described in subsection 2, the
11 Division shall provide each family with:

12 (a) Information regarding the citation and abatement process;

13 (b) Information regarding the means by which the family may
14 obtain a copy of the final incident report and abatement decision of
15 the Division; and

16 (c) Any other information that the Division deems relevant and
17 necessary to inform the family of the outcome of the investigation
18 by the Division.

19 **Sec. 129.** NRS 618.605 is hereby amended to read as follows:

20 618.605 1. Upon the receipt of any written appeal or notice
21 of contest under NRS 618.475, the Division shall within 15 working
22 days notify the Board of such an appeal or contest.

23 2. The Board shall hold a formal fact-finding hearing and
24 render its decision based on the evidence presented at the hearing.

25 3. Prior to any formal fact-finding hearing involving a citation
26 for an accident *or motor vehicle crash* occurring in the course of
27 employment which is fatal to one or more employees, the Board
28 shall notify the immediate family of each deceased employee of:

29 (a) The time and place of the hearing; and

30 (b) The fact that the hearing is open to the public.

31 4. Any employee of an employer or representative of the
32 employee may participate in and give evidence at the hearing,
33 subject to rules and regulations of the Board governing the conduct
34 of such hearings.

35 **Sec. 130.** NRS 634.018 is hereby amended to read as follows:

36 634.018 "Unprofessional conduct" means:

37 1. Obtaining a certificate upon fraudulent credentials or gross
38 misrepresentation.

39 2. Procuring, or aiding or abetting in procuring, criminal
40 abortion.

41 3. Assuring that a manifestly incurable disease can be
42 permanently cured.

43 4. Advertising, by any form of public communication, a
44 chiropractic practice:

45 (a) Using grossly improbable statements; or



(b) In any manner that will tend to deceive, defraud or mislead the public.

➡ As used in this subsection, “public communication” includes, but is not limited to, communications by means of television, radio, newspapers, books and periodicals, motion picture, handbills or other printed matter.

5. Willful disobedience of the law, or of the regulations of the State Board of Health or of the Chiropractic Physicians’ Board of Nevada.

6. Conviction of any offense involving moral turpitude, or the conviction of a felony. The record of the conviction is conclusive evidence of unprofessional conduct.

7. Administering, dispensing or prescribing any controlled substance.

8. Conviction or violation of any federal or state law regulating the possession, distribution or use of any controlled substance. The record of conviction is conclusive evidence of unprofessional conduct.

9. Habitual intemperance or excessive use of alcohol or alcoholic beverages or any controlled substance.

10. Conduct unbecoming a person licensed to practice chiropractic or detrimental to the best interests of the public.

11. Violating, or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or the regulations adopted by the Board, or any other statute or regulation pertaining to the practice of chiropractic.

12. Employing, directly or indirectly, any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice chiropractic under this chapter.

13. Repeated malpractice, which may be evidenced by claims of malpractice settled against a practitioner.

14. Solicitation by the licensee or the licensee’s designated agent of any person who, at the time of the solicitation, is vulnerable to undue influence, including, without limitation, any person known by the licensee to have recently been involved in a motor vehicle ~~accident,~~ **crash**, involved in a work-related accident, or injured by, or as the result of the actions of, another person. As used in this subsection:

(a) “Designated agent” means a person who renders service to a licensee on a contract basis and is not an employee of the licensee.

(b) “Solicitation” means the attempt to acquire a new patient through information obtained from a law enforcement agency, medical facility or the report of any other party, which information



1 indicates that the potential new patient may be vulnerable to undue
2 influence, as described in this subsection.

3 15. Employing, directly or indirectly, any person as a
4 chiropractor's assistant unless the person has been issued a
5 certificate by the Board pursuant to NRS 634.123, or has applied for
6 such a certificate and is awaiting the determination of the Board
7 concerning the application.

8 16. Aiding, abetting, commanding, counseling, encouraging,
9 inducing or soliciting an insurer or other third-party payor to reduce
10 or deny payment or reimbursement for the care or treatment of a
11 patient, unless such action is supported by:

12 (a) The medical records of the patient; or

13 (b) An examination of the patient by the chiropractic physician
14 taking such action.

15 17. Violating a lawful order of the Board, a lawful agreement
16 with the Board, or any of the provisions of this chapter or any
17 regulation adopted pursuant thereto.

18 **Sec. 131.** NRS 648.012 is hereby amended to read as follows:

19 648.012 "Private investigator" means any person who for any
20 consideration engages in business or accepts employment to furnish,
21 or agrees to make or makes any investigation for the purpose of
22 obtaining, including, without limitation, through the review,
23 analysis and investigation of computerized data not available to the
24 public, information with reference to:

25 1. The identity, habits, conduct, business, occupation, honesty,
26 integrity, credibility, knowledge, trustworthiness, efficiency, loyalty,
27 activity, movement, whereabouts, affiliations, associations,
28 transactions, acts, reputation or character of any person;

29 2. The location, disposition or recovery of lost or stolen
30 property;

31 3. The cause or responsibility for fires, libels, losses, accidents
32 , *motor vehicle crashes* or damage or injury to persons or to
33 property;

34 4. A crime or tort that has been committed, attempted,
35 threatened or suspected, except an expert witness or a consultant
36 who is retained for litigation or a trial, or in anticipation of litigation
37 or a trial, and who performs duties and tasks within his or her field
38 of expertise that are necessary to form his or her opinion;

39 5. Securing evidence to be used before any court, board, officer
40 or investigating committee; or

41 6. The prevention, detection and removal of surreptitiously
42 installed devices for eavesdropping or observation.



1 **Sec. 132.** NRS 687B.145 is hereby amended to read as
2 follows:

3 687B.145 1. Any policy of insurance or endorsement
4 providing coverage under the provisions of NRS 690B.020 or other
5 policy of casualty insurance may provide that if the insured has
6 coverage available to the insured under more than one policy or
7 provision of coverage, any recovery or benefits may equal but not
8 exceed the higher of the applicable limits of the respective
9 coverages, and the recovery or benefits must be prorated between
10 the applicable coverages in the proportion that their respective limits
11 bear to the aggregate of their limits. Any provision which limits
12 benefits pursuant to this section must be in clear language and be
13 prominently displayed in the policy, binder or endorsement. Any
14 limiting provision is void if the named insured has purchased
15 separate coverage on the same risk and has paid a premium
16 calculated for full reimbursement under that coverage.

17 2. Except as otherwise provided in subsection 5, insurance
18 companies transacting motor vehicle insurance in this State must
19 offer, on a form approved by the Commissioner, uninsured and
20 underinsured vehicle coverage in an amount equal to the limits of
21 coverage for bodily injury sold to an insured under a policy of
22 insurance covering the use of a passenger car. The insurer is not
23 required to reoffer the coverage to the insured in any replacement,
24 reinstatement, substitute or amended policy, but the insured may
25 purchase the coverage by requesting it in writing from the insurer.
26 Each renewal must include a copy of the form offering such
27 coverage. Uninsured and underinsured vehicle coverage must
28 include a provision which enables the insured to recover up to the
29 limits of the insured's own coverage any amount of damages for
30 bodily injury from the insured's insurer which the insured is legally
31 entitled to recover from the owner or operator of the other vehicle to
32 the extent that those damages exceed the limits of the coverage for
33 bodily injury carried by that owner or operator. If an insured suffers
34 actual damages subject to the limitation of liability provided
35 pursuant to NRS 41.035, underinsured vehicle coverage must
36 include a provision which enables the insured to recover up to the
37 limits of the insured's own coverage any amount of damages for
38 bodily injury from the insured's insurer for the actual damages
39 suffered by the insured that exceed that limitation of liability.

40 3. An insurance company transacting motor vehicle insurance
41 in this State must offer an insured under a policy covering the use of
42 a passenger car, the option of purchasing coverage in an amount of
43 at least \$1,000 for the payment of reasonable and necessary medical
44 expenses resulting from ~~an accident.~~ **a crash.** The offer must be
45 made on a form approved by the Commissioner. The insurer is not



1 required to reoffer the coverage to the insured in any replacement,
2 reinstatement, substitute or amended policy, but the insured may
3 purchase the coverage by requesting it in writing from the insurer.
4 Each renewal must include a copy of the form offering such
5 coverage.

6 4. An insurer who makes a payment to an injured person on
7 account of underinsured vehicle coverage as described in subsection
8 2 is not entitled to subrogation against the underinsured motorist
9 who is liable for damages to the injured payee. This subsection does
10 not affect the right or remedy of an insurer under subsection 5 of
11 NRS 690B.020 with respect to uninsured vehicle coverage. As used
12 in this subsection, "damages" means the amount for which the
13 underinsured motorist is alleged to be liable to the claimant in
14 excess of the limits of bodily injury coverage set by the
15 underinsured motorist's policy of casualty insurance.

16 5. An insurer need not offer, provide or make available
17 uninsured or underinsured vehicle coverage in connection with a
18 general commercial liability policy, an excess policy, an umbrella
19 policy or other policy that does not provide primary motor vehicle
20 insurance for liabilities arising out of the ownership, maintenance,
21 operation or use of a specifically insured motor vehicle.

22 6. As used in this section:

23 (a) "Excess policy" means a policy that protects a person against
24 loss in excess of a stated amount or in excess of coverage provided
25 pursuant to another insurance contract.

26 (b) "Passenger car" has the meaning ascribed to it in
27 NRS 482.087.

28 (c) "Umbrella policy" means a policy that protects a person
29 against losses in excess of the underlying amount required to be
30 covered by other policies.

31 **Sec. 133.** NRS 690B.020 is hereby amended to read as
32 follows:

33 690B.020 1. Except as otherwise provided in this section and
34 NRS 690B.035, no policy insuring against liability arising out of the
35 ownership, maintenance or use of any motor vehicle may be
36 delivered or issued for delivery in this State unless coverage is
37 provided therein or supplemental thereto for the protection of
38 persons insured thereunder who are legally entitled to recover
39 damages, from owners or operators of uninsured or hit-and-run
40 motor vehicles, for bodily injury, sickness or disease, including
41 death, resulting from the ownership, maintenance or use of the
42 uninsured or hit-and-run motor vehicle. No such coverage is
43 required in or supplemental to a policy issued to the State of Nevada
44 or any political subdivision thereof, or where rejected in writing, on
45 a form furnished by the insurer describing the coverage being



1 rejected, by an insured named therein, or upon any renewal of such
2 a policy unless the coverage is then requested in writing by the
3 named insured. The coverage required in this section may be
4 referred to as "uninsured vehicle coverage."

5 2. The amount of coverage to be provided must be not less than
6 the minimum limits for liability insurance for bodily injury provided
7 for under chapter 485 of NRS, but may be in an amount not to
8 exceed the coverage for bodily injury purchased by the
9 policyholder.

10 3. For the purposes of this section, the term "uninsured motor
11 vehicle" means a motor vehicle:

12 (a) With respect to which there is not available at the
13 Department of Motor Vehicles evidence of financial responsibility
14 as required by chapter 485 of NRS;

15 (b) With respect to the ownership, maintenance or use of which
16 there is no liability insurance for bodily injury or bond applicable at
17 the time of the ~~accident~~ crash or, to the extent of such deficiency,
18 any liability insurance for bodily injury or bond in force is less than
19 the amount required by NRS 485.210;

20 (c) With respect to the ownership, maintenance or use of which
21 the company writing any applicable liability insurance for bodily
22 injury or bond denies coverage or is insolvent;

23 (d) Used without the permission of its owner if there is no
24 liability insurance for bodily injury or bond applicable to the
25 operator;

26 (e) Used with the permission of its owner who has insurance
27 which does not provide coverage for the operation of the motor
28 vehicle by any person other than the owner if there is no liability
29 insurance for bodily injury or bond applicable to the operator; or

30 (f) The owner or operator of which is unknown or after
31 reasonable diligence cannot be found if:

32 (1) The bodily injury or death has resulted from physical
33 contact of the automobile with the named insured or the person
34 claiming under the named insured or with an automobile which the
35 named insured or such a person is occupying; and

36 (2) The named insured or someone on behalf of the named
37 insured has reported the ~~accident~~ crash within the time required by
38 NRS 484E.030, 484E.040 or 484E.050 to the police department of
39 the city where it occurred or, if it occurred in an unincorporated
40 area, to the sheriff of the county or to the Nevada Highway Patrol.

41 4. For the purposes of this section, the term "uninsured motor
42 vehicle" also includes, subject to the terms and conditions of
43 coverage, an insured other motor vehicle where:



(a) The liability insurer of the other motor vehicle is unable because of its insolvency to make payment with respect to the legal liability of its insured within the limits specified in its policy;

(b) The occurrence out of which legal liability arose took place while the uninsured vehicle coverage required under paragraph (a) was in effect; and

(c) The insolvency of the liability insurer of the other motor vehicle existed at the time of, or within 2 years after, the occurrence.

➔ Nothing contained in this subsection prevents any insurer from providing protection from insolvency to its insureds under more favorable terms.

5. If payment is made to any person under uninsured vehicle coverage, and subject to the terms of the coverage, to the extent of such payment the insurer is entitled to the proceeds of any settlement or recovery from any person legally responsible for the bodily injury as to which payment was made, and to amounts recoverable from the assets of the insolvent insurer of the other motor vehicle.

6. A vehicle involved in a ~~collision~~ crash which results in bodily injury or death shall be presumed to be an uninsured motor vehicle if no evidence of financial responsibility is supplied to the Department of Motor Vehicles in the manner required by chapter 485 of NRS within 60 days after the ~~collision~~ crash occurs.

Sec. 134. NRS 690B.029 is hereby amended to read as follows:

690B.029 1. A policy of insurance against liability arising out of the ownership, maintenance or use of a motor vehicle delivered or issued for delivery in this State to a person who is 55 years of age or older must contain a provision for the reduction in the premiums for 3-year periods if the insured:

(a) Successfully completes, after attaining 55 years of age and every 3 years thereafter, a course of traffic safety approved by the Department of Motor Vehicles; and

(b) For the 3-year period before completing the course of traffic safety and each 3-year period thereafter:

(1) Is not involved in ~~an accident~~ a crash involving a motor vehicle for which the insured is at fault;

(2) Maintains a driving record free of violations; and

(3) Has not been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, a moving traffic violation or an offense involving:

(I) The operation of a motor vehicle while under the influence of intoxicating liquor or a controlled substance; or



(II) Any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 or a law of any other jurisdiction that prohibits the same or similar conduct.

2. The reduction in the premiums provided for in subsection 1 must be based on the actuarial and loss experience data available to each insurer and must be approved by the Commissioner. Each reduction must be calculated based on the amount of the premium before any reduction in that premium is made pursuant to this section, and not on the amount of the premium once it has been reduced.

3. A course of traffic safety that an insured is required to complete as the result of moving traffic violations must not be used as the basis for a reduction in premiums pursuant to this section.

4. The organization that offers a course of traffic safety approved by the Department of Motor Vehicles shall issue a certificate to each person who successfully completes the course. A person must use the certificate to qualify for the reduction in the premiums pursuant to this section.

5. The Commissioner shall review and approve or disapprove a policy of insurance that offers a reduction in the premiums pursuant to subsection 1. An insurer must receive written approval from the Commissioner before delivering or issuing a policy with a provision containing such a reduction.

Sec. 135. NRS 695B.220 is hereby amended to read as follows:

695B.220 Blanket hospital or blanket medical or dental service contracts may be issued to a college or school or to the head or principal thereof or to the governing board of any school district providing for services to pupils of such schools when such services are required as the result of accident *or motor vehicle crash* to such pupils while they are required to be in or on buildings or other premises of the school or district during the time they are required to be therein or thereon by reason of their attendance upon a college or regular day school or any regular day school of a school district or while being transported to and from school or other place of instruction. No pupil shall be compelled to accept such service without the consent of a parent or guardian of the pupil.

Sec. 136. NRS 704.140 is hereby amended to read as follows:

704.140 1. It is unlawful for any person engaged in business as a public utility to give or furnish to any state, district, county or municipal officer of this State, or to any person other than those named herein, any pass, frank, free or reduced transportation, or for any state, district, county or municipal officer to accept any pass, frank, free or reduced transportation.



2. This section does not prevent the carriage, storage or hauling of property free or at reduced rates for the United States, the State of Nevada or any political subdivision thereof for charitable purposes.

3. This chapter does not prohibit a public utility from giving free or reduced rates for transportation of:

(a) Its own officers, commission agents, employees, attorneys, physicians and surgeons and members of their families, and pensioned ex-employees and ex-employees with disabilities, their minor children or dependents, or witnesses attending any legal investigation in which such carrier is interested.

(b) Inmates of hospitals or charitable institutions and persons over 65 years of age.

(c) Persons with physical or mental disabilities who present a written statement from a physician to that effect.

(d) Persons injured in accidents or ~~two weeks~~ *motor vehicle crashes* and physicians and nurses attending such persons.

(e) Persons providing relief in cases of common disaster, or for contractors and their employees, in carrying out their contract with such carrier.

(f) Peace officers when on official duty.

(g) Attendants of livestock or other property requiring the care of an attendant, including return passage to the place of shipment, if there is no discrimination among such shippers of a similar class.

(h) Employees of other carriers subject to regulation in any respect by the Commission, or for the officers, agents, employees, attorneys, physicians and surgeons of such other carriers, and the members of their families.

4. This chapter does not prohibit public utilities from giving reduced rates for transportation to:

(a) Indigent, destitute or homeless persons, when under the care or responsibility of charitable societies, institutions or hospitals, and the necessary agents employed in such transportation.

(b) Students of institutions of learning.

5. "Employees," as used in this section, includes furloughed, pensioned and superannuated employees, and persons who have become disabled or infirm in the service of any such carrier, and persons traveling for the purpose of entering the service of any such carrier.

6. Any person violating the provisions of this section shall be punished by a fine of not more than \$500.

Sec. 137. NRS 704.190 is hereby amended to read as follows:

704.190 1. Every public utility operating in this State shall, whenever an accident *or motor vehicle crash* occurs in the conduct of its operation causing death, give prompt notice thereof to the Commission, in such manner and within such time as the



1 Commission may prescribe. If, in its judgment, the public interest
2 requires it, the Commission may cause an investigation to be made
3 forthwith of any accident **H or crash**, at such place and in such
4 manner as the Commission deems best.

5 2. Every such public utility shall report to the Commission, at
6 the time, in the manner and on such forms as the Commission by its
7 printed rules and regulations prescribes, all accidents **or crashes**
8 happening in this State and occurring in, on or about the premises,
9 plant, instrumentality or facility used by any such utility in the
10 conduct of its business.

11 3. The Commission shall adopt all reasonable rules and
12 regulations necessary for the administration and enforcement of this
13 section. The rules and regulations must require that all accidents **or**
14 **crashes** required to be reported pursuant to this section be reported
15 to the Commission at least once every calendar month by such
16 officer or officers of the utility as the Commission directs.

17 4. The Commission shall adopt and utilize all accident **and**
18 **crash** report forms, which must be so designed as to provide a
19 concise and accurate report of the accident **H or crash**. The report
20 must show the true cause of the accident **H or crash**. The accident
21 report forms adopted for the reporting of railroad accidents must, as
22 near as practicable, be the same in design as the railroad accident
23 report forms provided and used by the Surface Transportation
24 Board.

25 5. If any accident **or crash** is reported to the Commission by
26 the utility as being caused by or through the negligence of an
27 employee and thereafter the employee is absolved from such
28 negligence by the utility and found not to be responsible for the
29 accident **H or crash**, that fact must be reported by the utility to the
30 Commission.

31 6. Each accident report required to be made by a public utility
32 pursuant to this section must be filed in the office of the
33 Commission and there preserved. Each accident **or crash** report
34 required to be made by a public utility pursuant to this chapter and
35 each report made by the Commission pursuant to its investigation of
36 any accident **H or crash**:

37 (a) Except as otherwise provided in subsection 2 of NRS
38 703.190, must be open to public inspection; and

39 (b) Notwithstanding any specific statute to the contrary, must
40 not, in whole or in part, be admitted as evidence or used for any
41 purpose in any suit or action for damages arising out of any matter
42 mentioned in:

43 (1) The accident **or crash** report required to be made by the
44 public utility; or



(2) The report made by the Commission pursuant to its investigation.

Sec. 138. NRS 704.300 is hereby amended to read as follows:

704.300 1. After an investigation initiated either upon the Commission's own motion or as the result of the filing of a formal application or complaint by the Department of Transportation, the board of county commissioners of any county, the town board or council of any town or municipality, or any railroad company, the Commission may order for the safety of the traveling public:

(a) The elimination, alteration, addition or change of a highway crossing or crossings over any railroad at grade, or above or below grade, including its approaches and surface.

(b) Changes in the method of crossing at grade, or above or below grade.

(c) The closing of a crossing and the substitution of another therefor.

(d) The removal of obstructions to the public view in approaching any crossing.

(e) Such other details of use, construction and operation as may be necessary to make grade-crossing elimination, changes and betterments for the protection of the public and the prevention of accidents *and motor vehicle crashes* effective.

2. The Commission shall order that the cost of any elimination, removal, addition, change, alteration or betterment so ordered must be divided and paid in such proportion by the State, county, town or municipality and the railroad or railroads interested as is provided according to the circumstances occasioning the cost in NRS 704.305.

3. If the Commission chooses to conduct a hearing before issuing an order pursuant to subsection 1, all costs incurred by reason of the hearing, including, but not limited to, publication of notices, reporting, transcripts and rental of hearing room, must be apportioned 50 percent to the governmental unit or units affected and 50 percent to the railroad or railroads.

Sec. 139. NRS 705.090 is hereby amended to read as follows:

705.090 1. No railway corporation engaged in the transportation of horses, sheep, cattle, swine or other animals between points situated within this state shall confine or cause the same to be confined in cars or other vehicles of any description for a period longer than 28 consecutive hours without unloading the same for rest, water and feeding during 5 consecutive hours, unless prevented by storm, *motor vehicle crash* or inevitable accident.

2. In estimating such confinement, the time during which the animals have been confined without rest on connecting roads from which they are received must be computed.



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3. The time of confinement prescribed in this section may be extended to 36 hours upon the written request of the owner or the person in custody of a particular shipment of livestock, which written request shall be separate and apart from any printed bill of lading or other railroad form. The request for extension of time shall be made to the conductor of the train, the agent or other authorized agent of the railroad company over which the livestock is being transported.

Sec. 140. NRS 706.246 is hereby amended to read as follows:
706.246 Except as otherwise provided in NRS 706.235:

1. A common or contract motor carrier shall not permit or require a driver to drive or tow any vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle, and a driver shall not drive or tow any vehicle which by reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause ~~{an accident}~~ **a crash** or a breakdown of the vehicle. If, while any vehicle is being operated on a highway, it is discovered to be in such an unsafe condition, it may be continued in operation, except as further limited by subsection 2, only to the nearest place where repairs can safely be effected, and even that operation may be conducted only if it is less hazardous to the public than permitting the vehicle to remain on the highway.

2. A common or contract motor carrier or private motor carrier shall not permit or require a driver to drive or tow, and a driver shall not drive or tow, any vehicle which:

(a) By reason of its mechanical condition is so imminently hazardous to operate as to be likely to cause ~~{an accident}~~ **a crash** or a breakdown; and

(b) Has been declared "out of service" by an authorized employee of the Authority, the Department of Motor Vehicles or the Department of Public Safety.

➤ When the repairs have been made, the carrier shall so certify to the Authority or the department that declared the vehicle "out of service," as required by the Authority or that department.

Sec. 141. NRS 706.251 is hereby amended to read as follows:

706.251 1. Every person operating a vehicle used by any motor carrier under the jurisdiction of the Authority shall forthwith report each ~~{accident}~~ **crash** occurring on the public highway, wherein the vehicle may have injured the person or property of some person other than the person or property carried by the vehicle, to the sheriff or other peace officer of the county where the ~~{accident}~~ **crash** occurred. If the ~~{accident}~~ **crash** immediately or proximately causes death, the person in charge of the vehicle, or any



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1 officer investigating the ~~{accident,}~~ *crash*, shall furnish to the
2 Authority such detailed report thereof as required by the Authority.

3 2. All ~~{accident,}~~ *crash* reports required in this section must be
4 filed in the office of the Authority and there preserved. ~~{An~~
5 ~~accident,}~~ *A crash* report made as required by this chapter, or any
6 report of the Authority made pursuant to any ~~{accident,}~~ *crash*
7 investigation made by it, is not open to public inspection and must
8 not be disclosed to any person, except upon order of the Authority.
9 The reports must not be admitted as evidence or used for any
10 purpose in any action for damages growing out of any matter
11 mentioned in the ~~{accident,}~~ *crash* report or report of any such
12 investigation.

13 **Sec. 142.** NRS 706.303 is hereby amended to read as follows:

14 706.303 The Authority shall adopt regulations requiring all
15 operators of horse-drawn vehicles subject to its regulation and
16 supervision to maintain a contract of insurance against liability for
17 injury to persons and damage to property for each such vehicle. The
18 amounts of coverage required by the regulations:

19 1. Must not exceed a total of:

20 (a) For bodily injury to or the death of one person in any one
21 ~~{accident,}~~ *crash*, \$250,000;

22 (b) Subject to the limitations of paragraph (a), for bodily injury
23 to or death of two or more persons in any one ~~{accident,}~~ *crash*,
24 \$500,000; and

25 (c) For injury to or destruction of property in any one ~~{accident,}~~
26 *crash*, \$50,000; or

27 2. Must not exceed a combined single-limit for bodily injury to
28 one or more persons and for injury to or destruction of property in
29 any one ~~{accident,}~~ *crash*, \$500,000.

30 **Sec. 143.** NRS 706.305 is hereby amended to read as follows:

31 706.305 The Authority shall adopt regulations requiring all
32 operators of taxicabs subject to its regulation and supervision to
33 maintain a contract of insurance against liability for injury to
34 persons and damage to property for each taxicab. The amounts of
35 coverage required by the regulations:

36 1. Must not exceed a total of:

37 (a) For bodily injury to or the death of one person in any one
38 ~~{accident,}~~ *crash*, \$250,000;

39 (b) Subject to the limitations of paragraph (a), for bodily injury
40 to or death of two or more persons in any one ~~{accident,}~~ *crash*,
41 \$500,000; and

42 (c) For injury to or destruction of property in any one ~~{accident,}~~
43 *crash*, \$50,000; or



2. Must not exceed a combined single-limit for bodily injury to one or more persons and for injury to or destruction of property in any one ~~accident~~ crash, \$500,000.

Sec. 144. NRS 706.3056 is hereby amended to read as follows:

706.3056 1. In lieu of the insurance against liability required by the regulations adopted pursuant to NRS 706.305, an operator of a taxicab may deposit with the Department:

(a) Any security in the amount of \$500,000; or

(b) An amount equal to 110 percent of the average annual costs of claims incurred by the operator for ~~accidents~~ crashes involving motor vehicles during the immediately preceding 3 years,

↳ whichever is less, but in no event may the deposit be less than \$250,000. The security deposited may be in any form authorized by NRS 706.3058. The Department shall not accept a deposit unless it is accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

2. An operator of a taxicab depositing money with the Department pursuant to subsection 1, shall authorize payments from the deposit in the amounts and under the same circumstances as would be required in a contract of insurance against liability which is in compliance with the regulations adopted pursuant to NRS 706.305.

3. Any security deposited must be used to satisfy any judgment obtained against the depositor which is final and has not been paid within 30 days after the date of the judgment, unless otherwise ordered by the court issuing the judgment. A depositor, within 24 hours after receiving notice that the security has been used to satisfy a judgment obtained against the depositor, shall deposit with the Department an amount which is necessary to maintain with the Department the amount required by subsection 1. The failure to maintain the full amount required by subsection 1 is a ground for the cancellation of the depositor's certificate of self-insurance.

4. Any money collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer for credit to a separate account in the State General Fund and used for payments authorized pursuant to subsection 2 or to refund money paid by an operator of a taxicab who is no longer participating in a program of self-insurance.

Sec. 145. NRS 706.351 is hereby amended to read as follows:

706.351 1. It is unlawful for:

(a) A fully regulated carrier to furnish any pass, frank, free or reduced rates for transportation to any state, city, district, county or



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1 municipal officer of this State or to any person other than those
2 specifically enumerated in this section.

3 (b) Any person other than those specifically enumerated in this
4 section to receive any pass, frank, free or reduced rates for
5 transportation.

6 2. This section does not prevent the carriage, storage or hauling
7 free or at reduced rates of passengers or property for charitable
8 organizations or purposes for the United States, the State of Nevada
9 or any political subdivision thereof.

10 3. This chapter does not prohibit a fully regulated common
11 carrier from giving free or reduced rates for transportation of
12 persons to:

13 (a) Its own officers, commission agents or employees, or
14 members of any profession licensed under title 54 of NRS retained
15 by it, and members of their families.

16 (b) Inmates of hospitals or charitable institutions and persons
17 over 60 years of age.

18 (c) Persons with physical or mental disabilities who present a
19 written statement from a physician to that effect.

20 (d) Persons injured in accidents or ~~twereks~~ **motor vehicle**
21 **crashes** and physicians and nurses attending such persons.

22 (e) Persons providing relief in cases of common disaster.

23 (f) Attendants of livestock or other property requiring the care of
24 an attendant, who must be given return passage to the place of
25 shipment, if there is no discrimination among shippers of a similar
26 class.

27 (g) Officers, agents, employees or members of any profession
28 licensed under title 54 of NRS, together with members of their
29 families, who are employed by or affiliated with other common
30 carriers, if there is an interchange of free or reduced rates for
31 transportation.

32 (h) Indigent, destitute or homeless persons when under the care
33 or responsibility of charitable societies, institutions or hospitals,
34 together with the necessary agents employed in such transportation.

35 (i) Students of institutions of learning, including, without
36 limitation, homeless students, whether the free or reduced rate is
37 given directly to a student or to the board of trustees of a school
38 district on behalf of a student.

39 (j) Groups of persons participating in a tour for a purpose other
40 than transportation.

41 4. This section does not prohibit common motor carriers from
42 giving free or reduced rates for the transportation of property of:

43 (a) Their officers, commission agents or employees, or members
44 of any profession licensed under title 54 of NRS retained by them,



1 or pensioned former employees or former employees with
2 disabilities, together with that of their dependents.

3 (b) Witnesses attending any legal investigations in which such
4 carriers are interested.

5 (c) Persons providing relief in cases of common disaster.

6 (d) Charitable organizations providing food and items for
7 personal hygiene to needy persons or to other charitable
8 organizations within this State.

9 5. This section does not prohibit the Authority from
10 establishing reduced rates, fares or charges for specified routes or
11 schedules of any common motor carrier providing transit service if
12 the reduced rates, fares or charges are determined by the Authority
13 to be in the public interest.

14 6. Only fully regulated common carriers may provide free or
15 reduced rates for the transportation of passengers or household
16 goods, pursuant to the provisions of this section.

17 7. As used in this section, "employees" includes:

18 (a) Furloughed, pensioned and superannuated employees.

19 (b) Persons who have become disabled or infirm in the service
20 of such carriers.

21 (c) Persons who are traveling to enter the service of such a
22 carrier.

23 **Sec. 146.** NRS 706.4479 is hereby amended to read as
24 follows:

25 706.4479 1. If a motor vehicle is towed at the request of
26 someone other than the owner, or authorized agent of the owner, of
27 the motor vehicle, the operator of the tow car shall, in addition to the
28 requirements set forth in the provisions of chapter 108 of NRS:

29 (a) Notify the registered and legal owner of the motor vehicle by
30 certified mail not later than 21 days after placing the motor vehicle
31 in storage if the motor vehicle was towed at the request of a law
32 enforcement officer following ~~an accident~~ *a crash* involving the
33 motor vehicle or not later than 15 days after placing any other
34 vehicle in storage:

35 (1) Of the location where the motor vehicle is being stored;

36 (2) Whether the storage is inside a locked building, in a
37 secured, fenced area or in an unsecured, open area;

38 (3) Of the charge for towing and storage;

39 (4) Of the date and time the vehicle was placed in storage;

40 (5) Of the actions that the registered and legal owner of the
41 vehicle may take to recover the vehicle while incurring the lowest
42 possible liability in accrued assessments, fees, penalties or other
43 charges; and

44 (6) Of the opportunity to rebut the presumptions set forth in
45 NRS 487.220 and 706.4477.



(b) If the identity of the registered and legal owner is not known or readily available, make every reasonable attempt and use all resources reasonably necessary, as evidenced by written documentation, to obtain the identity of the owner and any other necessary information from the agency charged with the registration of the motor vehicle in this State or any other state within:

(1) Twenty-one days after placing the motor vehicle in storage if the motor vehicle was towed at the request of a law enforcement officer following ~~an accident~~ a crash involving the motor vehicle; or

(2) Fifteen days after placing any other motor vehicle in storage.

↳ The operator shall attempt to notify the owner of the vehicle by certified mail as soon as possible, but in no case later than 15 days after identification of the owner is obtained for any motor vehicle.

2. If an operator includes in the operator's tariff a fee to be charged to the registered and legal owner of a vehicle for the towing and storage of the vehicle, the fee may not be charged:

(a) For more than 21 days after placing the motor vehicle in storage if the motor vehicle was towed at the request of a law enforcement officer following ~~an accident~~ a crash involving the motor vehicle; or

(b) For more than 15 days after placing any other vehicle in storage,

↳ unless the operator complies with the requirements set forth in subsection 1.

3. If a motor vehicle that is placed in storage was towed at the request of a law enforcement officer following ~~an accident~~ a crash involving the motor vehicle or after having been stolen and subsequently recovered, the operator shall not:

(a) Satisfy any lien or impose any administrative fee or processing fee with respect to the motor vehicle for the period ending 4 business days after the date on which the motor vehicle was placed in storage; or

(b) Impose any fee relating to the auction of the motor vehicle until after the operator complies with the notice requirements set forth in NRS 108.265 to 108.367, inclusive.

Sec. 147. NRS 706.4487 is hereby amended to read as follows:

706.4487 The Legislature hereby finds and declares that:

1. Towing a vehicle, either after ~~an accident~~ a crash or after the vehicle is stolen and subsequently recovered, to a vehicle storage lot designated by the insurer of the vehicle will result in the placement of vehicle storage lots in more locations, as insurance companies will designate as many vehicle storage lots as are



1 necessary to provide coverage throughout the county, thus
2 enhancing safety by limiting both the time and distance that a tow
3 car is traveling with a towed vehicle.

4 2. Authorizing insurance companies to designate vehicle
5 storage lots will enhance safety by ensuring that the vehicles towed
6 thereto are stored in locations which:

7 (a) Guarantee safe access to the vehicles by their owners; and

8 (b) Protect the property of the owners of the vehicles, including,
9 without limitation, the vehicles themselves.

10 3. The provisions of NRS 706.4489 constitute an exercise of
11 the safety regulatory authority of this State with respect to motor
12 vehicles.

13 **Sec. 148.** NRS 706.4489 is hereby amended to read as
14 follows:

15 706.4489 1. An insurance company may designate one or
16 more vehicle storage lots to which all vehicles that are towed at the
17 request of a law enforcement officer:

18 (a) Following ~~an accident;~~ **a crash;** or

19 (b) Following recovery after having been stolen,

20 ➔ and which are insured by that insurance company must be towed
21 pursuant to subsection 2. The designation of a vehicle storage lot
22 must be provided in writing by the insurance company, its
23 representative or the owner or operator of the vehicle storage lot to
24 all providers of towing services that have obtained a certificate of
25 public convenience and necessity and operate in the same
26 geographical area in which the designated vehicle storage lot is
27 situated.

28 2. If a law enforcement officer requests that an operator of a
29 tow car tow a vehicle following ~~an accident;~~ **a crash** or following
30 recovery after having been stolen and the vehicle is not otherwise
31 subject to impoundment, the law enforcement officer shall make a
32 good faith effort to determine the identity of the insurance company
33 that provides coverage for the owner of the vehicle. If the law
34 enforcement officer determines the identity of the insurance
35 company, he or she shall inform the operator of the tow car of the
36 identity of the insurance company. If the operator of the tow car:

37 (a) Is informed by a law enforcement officer of the identity of
38 the insurance company that provides coverage for the owner of the
39 vehicle; or

40 (b) Otherwise determines the identity of the insurance company
41 that provides coverage for the owner of the vehicle,

42 ➔ and the insurance company has designated a vehicle storage lot
43 pursuant to subsection 1, the operator of the tow car shall tow the
44 vehicle to the designated vehicle storage lot unless the owner of the



1 vehicle or a representative of the insurance company has directed
2 otherwise.

3 3. If an operator of a tow car fails to tow a vehicle to the
4 designated vehicle storage lot pursuant to subsection 2, the operator
5 of the tow car shall:

6 (a) Forfeit the charge for towing and storage of the vehicle; and

7 (b) Tow the vehicle free of charge to the vehicle storage lot
8 designated by the insurance company or its representative not later
9 than 24 hours after receiving a demand, which must be made in
10 writing or by electronic mail, from the insurance company or its
11 representative.

12 4. The owners of a vehicle storage lot designated by an
13 insurance company pursuant to subsection 1 shall agree in writing to
14 indemnify the relevant law enforcement agencies and their officers,
15 employees, agents and representatives from any liability relating to
16 the towing of a vehicle insured by the designating insurance
17 company and to the storing of the vehicle at the vehicle storage lot
18 if the law enforcement officer who requested the towing of the
19 vehicle made a good faith effort to comply with the provisions of
20 subsection 2.

21 5. A vehicle storage lot must:

22 (a) Maintain adequate, accessible and secure storage within the
23 State of Nevada for any vehicle that is towed to the vehicle storage
24 lot;

25 (b) Comply with all standards a law enforcement agency may
26 adopt pursuant to NRS 706.4485 to protect the health, safety and
27 welfare of the public;

28 (c) Comply with all local laws and ordinances applicable to that
29 business, including, without limitation, local laws and ordinances
30 relating to business licenses, zoning, building and fire codes,
31 parking, paving, lights and security; and

32 (d) If the vehicle storage lot is a salvage pool as that term is
33 defined in NRS 487.400, comply with all applicable requirements
34 imposed pursuant to NRS 487.400 to 487.510, inclusive.

35 6. If a vehicle storage lot has rates and charges that have been
36 approved by the Authority for the storage of a vehicle, the vehicle
37 storage lot is not required to assess those rates and charges for the
38 storage of a vehicle that is towed to the vehicle storage lot in
39 accordance with this section, but may not assess a rate or charge in
40 excess of those approved rates and charges. If a vehicle storage lot
41 does not have rates and charges that have been approved by the
42 Authority, it may not assess a rate or charge in excess of the rates
43 and charges for the storage of a vehicle that have been approved by
44 the law enforcement agency that requested the tow. If the requesting
45 law enforcement agency does not have approved rates and charges,



1 the vehicle storage lot may not assess a rate or charge in excess of
2 the rates and charges for the storage of a vehicle that have been
3 approved by the largest law enforcement agency in the county. An
4 operator of a tow car who tows a vehicle to a vehicle storage lot
5 pursuant to this section:

6 (a) Shall assess the rates and charges approved by the Authority
7 for towing the vehicle.

8 (b) Is entitled to payment from the operator of the vehicle
9 storage lot at the time the vehicle is towed to the vehicle storage lot.

10 7. Before designating a vehicle storage lot pursuant to
11 subsection 1, an insurance company must obtain the approval of the
12 Authority. The Authority shall approve the designation if the
13 Authority determines that the vehicle storage lot has:

14 (a) Executed an indemnification agreement that meets the
15 requirements of subsection 4;

16 (b) Satisfied the requirements of subsection 5; and

17 (c) Otherwise satisfied the requirements of this section.

18 8. The provisions of this section apply only to a county whose
19 population is 700,000 or more.

20 9. As used in this section:

21 (a) "Boat" means any vessel or other watercraft, other than a
22 seaplane, used or capable of being used as a means of transportation
23 on the water.

24 (b) "Vehicle" has the meaning ascribed to it in NRS 706.146
25 and includes all terrain vehicles and boats.

26 (c) "Vehicle storage lot" means a business which, for a fee,
27 stores vehicles that are towed at the request of a law enforcement
28 officer following ~~an accident~~ a crash or following recovery after
29 having been stolen and includes, without limitation, a salvage pool,
30 as that term is defined in NRS 487.400, which operates a vehicle
31 storage lot in accordance with the provisions of this section. The
32 term does not include a salvage pool that has not elected to operate a
33 vehicle storage lot in accordance with the provisions of this section
34 and is operating within the scope of its authority pursuant to NRS
35 487.400 to 487.510, inclusive.

36 **Sec. 149.** NRS 706.8828 is hereby amended to read as
37 follows:

38 706.8828 1. Except as otherwise provided in subsection 4, a
39 certificate holder shall file with the Administrator, and keep in effect
40 at all times, a policy of insurance with an insurance company
41 licensed to do business in the State of Nevada.

42 2. The insurance policy specified in subsection 1 must:

43 (a) Provide the following coverage:



1 For injury to one person in any one ~~facecident~~
2 ~~crash~~.....\$100,000
3 For injury to two or more persons in any one
4 ~~facecident~~ ~~crash~~..... 300,000
5 For property damage in any one ~~facecident~~ ~~crash~~ 10,000
6

7 (b) Contain a clause which states substantially that the insurance
8 carrier may only cancel the policy upon 30 days' written notice to
9 the certificate holder and Administrator; and

10 (c) Contain such other provisions concerning notice as may be
11 required by law to be given to the certificate holder.

12 3. If an insurance policy is cancelled, the certificate holder
13 shall not operate or cause to be operated any taxicab that was
14 covered by the policy until other insurance is furnished.

15 4. A certificate holder to whom the Department of Motor
16 Vehicles has issued a certificate of self-insurance may self-insure
17 the coverage required by subsection 2.

18 **Sec. 150.** 1. When the next reprint of the Nevada Revised
19 Statutes is prepared by the Legislative Counsel, the Legislative
20 Counsel shall revise any provisions of any bill or resolution enacted
21 during the 78th Regular Session of the Nevada Legislature which
22 uses the term "accident" as that term is replaced or amended
23 pursuant to the provisions of this act to cause the term to be replaced
24 or amended in the manner provided in this act.

25 2. The Legislative Counsel shall, in preparing supplements to
26 the Nevada Administrative Code, make such changes as necessary
27 so that the term "accident" is replaced with the term "crash" or
28 "motor vehicle crash," or the term "accident" is amended by adding
29 the term "or motor vehicle crash," as applicable, as provided for in
30 this act.

31 **Sec. 151.** This act becomes effective:

32 1. Upon passage and approval for the purpose of adopting
33 regulations or performing any preparatory administrative tasks that
34 are necessary to carry out the provisions of this act; and

35 2. On January 1, 2016, for all other purposes.

