

Amendment No. 43

Assembly Amendment to Assembly Bill No. 54

(BDR 53-160)

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

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

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

ALA/WLK



Date: 4/13/2017

A.B. No. 54—Revises provisions relating to reports of certain accidents or motor vehicle crashes by employers. (BDR 53-160)



ASSEMBLY BILL NO. 54—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE DIVISION OF INDUSTRIAL RELATIONS
OF THE DEPARTMENT OF BUSINESS AND INDUSTRY)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to reports of certain accidents or motor vehicle crashes by employers. (BDR 53-160)

FISCAL NOTE: Effect on Local Government: No.
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 occupational safety; revising provisions relating to reports of certain accidents or motor vehicle crashes by employers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires an employer to report to the Division of Industrial Relations of the Department of Business and Industry any accident or motor vehicle crash which is fatal to one or more employees or which results in the hospitalization of three or more employees within 8 hours after the time the accident or crash is reported to any agent or employee of the employer. (NRS 618.378) This bill retains the 8-hour reporting requirement for fatalities, but requires an employer to report to the Division any accident or motor vehicle crash which results in inpatient hospitalization of an employee, the amputation of a part of an employee's body or an employee's loss of an eye within 24 hours after the time the accident or crash is reported to any agent or employee of the employer. This bill also requires the employer to report the names of the employees who suffered fatalities, amputations or loss of an eye or who were admitted to a hospital as inpatients.

~~Existing law requires an industrial insurer to provide the Division with a monthly report of industrial injuries and occupational diseases reported or claimed by employees in the preceding month. (NRS 618.378) This bill eliminates this monthly reporting requirement.~~

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

Section 1. 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 ~~for 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.

2. Any accident or motor vehicle crash occurring in the course of employment which results in the inpatient hospitalization of one or more employees, the amputation of a part of an employee's body or an employee's loss of an eye must be reported by the employer orally to the nearest office of the Division within 24 hours after the time that the accident or crash is reported to any agent or employee of the employer.

3. A report submitted to the Division pursuant to the provisions of ~~this~~ subsection *1 or 2* 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~~ *who were hospitalized as inpatients or who suffered fatalities, amputations or loss of an eye* as a result of the accident or crash;

(d) *The names of the employees who were hospitalized as inpatients or who suffered fatalities, amputations or loss of an eye as a result of the accident or crash;*

(e) A brief description of the accident or crash; and

~~(e)~~ (f) 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 initiate an investigation at the site of the accident or crash within 8 hours after receiving the report.

~~2-4~~ 4. An industrial insurer shall provide to the Division a monthly report setting forth the number, type and severity of industrial injuries and occupational diseases reported or claimed by employees in the preceding month. The report must identify the employer and be sorted according to the employer's Standard Industrial Classification or classification for the purposes of industrial insurance. The Division shall by regulation prescribe the form for the report made pursuant to this subsection. As used in this subsection, "industrial insurer" has the meaning ascribed to the term "insurer" in NRS 616A.270.

~~3-4~~ 5. All employers shall maintain accurate records and make reports to the United States Assistant Secretary of Labor in the same manner and to the same extent as if this chapter were not in effect.

~~4-5~~ 6. The Division shall make such reasonable reports to the Assistant Secretary of Labor in such form and containing such information as the Assistant Secretary of Labor may from time to time require.

~~5-6~~ 7. Requests for variances to federal recordkeeping and reporting regulations must be submitted to and obtained from the Bureau of Labor Statistics, United States Department of Labor. All variances granted by the Bureau of Labor Statistics must be respected by the Division.