

ASSEMBLY BILL NO. 316—ASSEMBLYMAN C.H. MILLER

MARCH 16, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing motor vehicles.
(BDR 43-154)

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

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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; authorizing the governing body of a local government to adopt an ordinance prohibiting the unlawful possession of unregistered vehicles unfit for use; revising the penalty for the unlawful possession of unregistered vehicles unfit for use; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 With certain exceptions, existing law makes it a misdemeanor for a person to
2 keep more than two unregistered vehicles on real property owned by or under the
3 possession or control of the person if the vehicles are no longer intended for or in
4 condition for lawful use on the highway. (NRS 487.290, 487.300) **Sections 1 and 3**
5 of this bill revise the penalty by providing that such an act is punishable by a civil
6 penalty of not more than \$100 for each day of the violation. **Section 1** authorizes
7 a local authority to adopt an ordinance prohibiting the same conduct and imposing a
8 different, non-criminal penalty for such conduct. **Section 1** provides that such a
9 local ordinance applies instead of the state law prohibiting the same conduct under
10 certain circumstances. **Section 2** of this bill makes a conforming change to indicate
11 the proper placement of **section 1** in the Nevada Revised Statutes.

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

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

3 *1. Except as otherwise provided in this section, any person*
4 *who violates any provisions of NRS 487.290 is liable for a civil*
5 *penalty of not more than \$100 for each day of the violation.*



* A B 3 1 6 R 1 *

2. A local authority may adopt an ordinance prohibiting the same conduct as is prohibited by NRS 487.290. If a local authority adopts such an ordinance:

(a) The local authority may establish a different penalty for a violation of the ordinance than the penalty provided by subsection 1, except that a local authority shall not establish a criminal penalty for the violation of such an ordinance.

(b) A person who commits the conduct prohibited by NRS 487.290 within the jurisdiction of the local authority shall be subject to the provisions of the local ordinance, including, without limitation, any penalty established by the local ordinance, instead of the penalty provided by subsection 1.

3. As used in this section, "local authority" means the governing board of a county, city or other political subdivision having authority to enact ordinances.

Sec. 2. NRS 487.210 is hereby amended to read as follows:

487.210 As used in NRS 487.210 to 487.300, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. "Abandoned vehicle" means a vehicle:

(a) If the vehicle is discovered upon public lands, that the owner has discarded.

(b) If the vehicle is discovered upon public or private property other than public lands:

(1) That the owner has discarded; or

(2) Which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 15 days after notification pursuant to NRS 487.250.

2. "Public lands" means all lands within the exterior boundaries of the State of Nevada except lands:

(a) To which title is held by any private person or entity;

(b) To which title is held by the State of Nevada, any of its local governments or the Nevada System of Higher Education;

(c) Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges or which are lands acquired by purchase consented to by the Legislature;

(d) Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or

(e) Which are held in trust for Indian purposes or are Indian reservations.

Sec. 3. NRS 487.300 is hereby amended to read as follows:

487.300 Every person who violates any provision of NRS 487.281 ~~for 487.290~~ is guilty of a misdemeanor.

