ASSEMBLY BILL NO. 55–COMMITTEE ON JUDICIARY

(ON BEHALF OF THE OFFICE OF TRAFFIC SAFETY OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to motor vehicle crashes. (BDR 43-250)

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 public safety; revising provisions governing blood tests of deceased crash victims; revising provisions governing the submittal of crash reports to the Department of Public Safety; revising provisions governing the central repository to track data electronically concerning vehicle crashes on a statewide basis that is created and maintained by the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a coroner, or other public official performing like duties, in all cases in which a death has occurred as a result of a crash involving a motor vehicle, to: (1) cause to be drawn from each decedent a blood sample to be analyzed for the presence and concentration of alcohol within 8 hours of the crash; and (2) report to the Department of Motor Vehicles the findings of such a blood sample within 30 days after the death. (NRS 484C.170) **Section 1** of this bill: (1) requires the blood sample to also be analyzed for the presence and concentration of certain substances which are commonly misused, as determined by the coroner or other public official; (2) removes the requirement that such a blood sample be drawn within 8 hours of the crash; and (3) removes the requirement that the findings of such a blood sample be reported to the Department within 30 days after the death, and instead requires the coroner or other public official to report the findings to the Department upon receipt of the findings.

Existing law requires every police officer who investigates a vehicle crash and prepares a report as a result to forward the written or electronic report to the Department of Public Safety within 10 days after the investigation of the crash. Existing law requires the Department to record the data collected from such reports

in a central repository to track data electronically concerning vehicle crashes on a statewide basis. (NRS 484E.110) **Section 2** of this bill requires a police officer to submit the report through the electronic crash reporting system maintained by the Department within 10 days after: (1) the date of the crash; or (2) the date of death of a person involved in the crash if the death occurred as a result of the crash.

Existing law requires the Department of Public Safety to prepare forms for crash reports made by police officers to the Department and to supply such forms to law enforcement agencies and other appropriate persons upon request. (NRS 484E.120) To reflect the changes made in **section 2** requiring that a crash report to the Department be submitted through the electronic crash reporting system, **section 3** of this bill requires the Department to prescribe the form for crash reports and make the form available to law enforcement agencies and other appropriate persons.

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

Section 1. NRS 484C.170 is hereby amended to read as follows:

484C.170 1. Any coroner, or other public official performing like duties, shall in all cases in which a death has occurred as a result of a crash involving a motor vehicle, whether the person killed is a driver, passenger or pedestrian, cause to be drawn from each decedent ~~[, within 8 hours of the crash,]~~ a blood sample to be analyzed for the presence and concentration of alcohol ~~[.]~~ ***and substances which are commonly misused, as determined by the coroner or other public official.***

2. The findings of the examinations are a matter of public record and must be reported to the Department by the coroner or other public official ~~[within 30 days after the death.]~~ ***upon receipt of the findings.***

3. ~~[Blood alcohol]~~ ***Blood sample*** analyses ***for the presence and concentration of alcohol and substances which are commonly misused*** are acceptable only if made by laboratories licensed to perform this function.

Sec. 2. NRS 484E.110 is hereby amended to read as follows:

484E.110 1. Every police officer who investigates a vehicle crash of which a report must be made as required in this chapter, or who otherwise prepares a written or electronic report as a result of an investigation either at the time of and at the scene of the crash or thereafter by interviewing the participants or witnesses, shall ~~[forward a written or electronic]~~ ***submit the*** report of the crash to the Department of Public Safety ***through the electronic crash reporting system maintained by the Department of Public Safety*** within 10 days after ~~[the investigation]~~ ***:***

(a) The date of the crash ~~[.]~~ ***; or***

(b) The date of death of a person involved in the crash if the death occurred as a result of the crash.

2. The data collected by the Department of Public Safety pursuant to ~~[this]~~ subsection ***1*** must be recorded in a central repository created ***and maintained*** by the Department of Public Safety ***, in collaboration with the Department of Transportation,*** to track data electronically concerning vehicle crashes on a statewide basis.

~~[2.]~~ ***3.*** The ~~[written or electronic]~~ reports required to be ~~[forwarded]~~ ***submitted*** by police officers and the information contained therein are not privileged or confidential.

~~[3.]~~ ***4.*** Every sheriff, chief of police or office of the Nevada Highway Patrol receiving any report required under NRS 484E.030 to 484E.090, inclusive, shall immediately ~~[prepare]~~ ***file*** a copy thereof ~~[and file the copy]~~ with the Department of Public Safety.

~~[4.]~~ ***5.*** If a police officer investigates a vehicle crash resulting 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, the police officer shall prepare a ~~[written or electronic]~~ report of the investigation.

~~[5.]~~ ***6.*** As soon as practicable after receiving a report pursuant to this section, the Department of Public Safety shall ~~[submit]~~ ***transmit*** a copy of the report to the Department of Motor Vehicles.

Sec. 3. NRS 484E.120 is hereby amended to read as follows:

484E.120 1. The Department of Public Safety shall ~~[prepare forms]~~ ***prescribe the form*** for crash reports required pursuant to NRS 484E.110, ***which must be*** suitable with respect to the persons required to make the reports and the purposes to be served. The ~~[forms]~~ ***form*** must be designed to call for sufficiently detailed information to disclose with reference to 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]~~ ***make available*** to a police department, sheriff or other appropriate agency or person the ~~[forms]~~ ***form*** for 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 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 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. 4. This act becomes effective on July 1, 2025.

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