
ASSEMBLY BILL NO. 177—ASSEMBLYMAN OCEGUERA

FEBRUARY 16, 2009

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning short-term leases of passenger cars. (BDR 43-194)

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 a short-term lessor to exclude from a waiver of damages losses resulting from the theft of a leased car if the theft is committed by an authorized driver or by a person aided or abetted by an authorized driver; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law governing the business of short-term leases of passenger
2 cars, a short-term lessor may offer the lessee of a passenger car the opportunity to
3 purchase a “waiver of damages” that relieves the lessee from financial
4 responsibility for certain kinds of damage to the car. (NRS 482.3153, 482.3155-
5 482.31565) **Section 5** of this bill authorizes a lessor to exclude from such a waiver
6 any damages or loss attributable to the theft of the leased car if the theft is
7 committed by the lessee or other authorized driver or by a person aided or abetted
8 by such a driver.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** (Deleted by amendment.)
4 **Sec. 4.** (Deleted by amendment.)



1 **Sec. 5.** NRS 482.31555 is hereby amended to read as follows:
2 482.31555 A short-term lessor may provide in a lease of a
3 passenger car that a waiver of damages does not apply in the
4 following circumstances:

5 1. Damage or loss resulting from an authorized driver's:
6 (a) Intentional, willful, wanton or reckless conduct.
7 (b) Operation of the car in violation of NRS 484.379.
8 (c) Towing or pushing with the car.
9 (d) Operation of the car on an unpaved road if the damage or
10 loss is a direct result of the road or driving conditions.

11 2. Damage or loss occurring when the passenger car is:
12 (a) Used for hire.
13 (b) Used in connection with conduct that constitutes a felony.
14 (c) Involved in a speed test or contest or in driver training
15 activity.
16 (d) Operated by a person other than an authorized driver.
17 (e) Operated in a foreign country or outside of the States of
18 Nevada, Arizona, California, Idaho, Oregon and Utah, unless the
19 lease expressly provides that the passenger car may be operated in
20 other locations.

21 3. An authorized driver providing:
22 (a) Fraudulent information to the short-term lessor.
23 (b) False information to the lessor and the lessor would not have
24 leased the passenger car if he had received true information.

25 ***4. Damage or loss resulting from the theft of the passenger***
26 ***car if committed by an authorized driver or a person aided or***
27 ***abetted by an authorized driver. A theft is presumed to have been***
28 ***committed by a person other than an authorized driver or a person***
29 ***aided or abetted by an authorized driver if the short-term lessee of***
30 ***the car:***

31 ***(a) Has possession of the ignition key furnished by the lessor***
32 ***or establishes that the ignition key furnished by the lessor was not***
33 ***in the car at the time of the theft; and***

34 ***(b) Files an official report of the theft with an appropriate law***
35 ***enforcement agency within 24 hours after learning of the theft***
36 ***and cooperates with the lessor and the law enforcement agency in***
37 ***providing information concerning the theft.***

38 ***↳ The lessor may rebut the presumption set forth in this***
39 ***subsection by establishing that an authorized driver committed or***
40 ***aided and abetted another person in the commission of the theft.***

