

ASSEMBLY BILL NO. 408—ASSEMBLYWOMAN BROWN-MAY

MARCH 27, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to reckless driving. (BDR 43-95)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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 removal of a vehicle or part of a vehicle from the highway following the issuance of a citation for reckless driving; prohibiting a tow car operator from charging fees or costs for the storage of such a vehicle until the vehicle has been stored for a certain period; requiring the owner of such a vehicle to pay a hardship tariff instead of the normal rate for the storage and removal of the vehicle under certain circumstances; revising provisions relating to the applicability of certain traffic laws concerning reckless driving; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law authorizes a law enforcement officer to remove, or cause to be
- 2 removed, a vehicle or part of a vehicle found on the highway to a place of
- 3 safekeeping under certain circumstances. (NRS 484B.443) **Section 1** of this bill
- 4 authorizes a law enforcement officer to take such action if the person driving or in
- 5 actual physical control of the vehicle is issued a citation for reckless driving.
- 6 **Section 3** of this bill provides that the provisions of law requiring a tow car
- 7 operator to allow the owner, or agent of the owner, of a motor vehicle that has been
- 8 connected to a tow car to obtain the release of the vehicle at the point of origination
- 9 of the towing do not apply if the towing was requested by a law enforcement officer
- 10 pursuant to the amendatory provisions of **section 1**.
- 11 Existing law makes it unlawful for a person to drive a vehicle in an
- 12 unauthorized trick driving display or to facilitate an unauthorized trick driving
- 13 display on a public highway. (NRS 484B.653) **Section 2** of this bill additionally



14 prohibits a person from driving a vehicle in an unauthorized trick driving display or  
15 facilitating an unauthorized trick driving display on premises to which the public  
16 has access.

17 Existing law requires that, under certain circumstances, a registered owner of a  
18 vehicle that is towed must pay certain fees and charges to the tow car operator for  
19 the towing, storage and removal of the vehicle. (NRS 484B.443, 706.4477,  
20 706.4479) Existing law: (1) prohibits the tow car operator from charging any fee or  
21 cost for the storage of the vehicle until at least 48 hours has passed since the motor  
22 vehicle arrived and was registered at the place of storage; and (2) requires that if the  
23 motor vehicle arrives at the place of storage after the regular business hours of the  
24 place of storage, the 48-hour period must begin when the regular business hours of  
25 the place of storage next begin. (NRS 706.4477) **Section 2.2** of this bill makes  
26 these provisions applicable when a tow car operator tows a vehicle at the request of  
27 a law enforcement officer pursuant to **section 1**.

28 Existing law further requires the owner of a vehicle that has been towed to pay  
29 a hardship tariff, instead of the normal rate, for the cost of removal and storage of  
30 the vehicle if: (1) the vehicle was towed at the request of a person other than the  
31 owner of the vehicle or the owner's authorized agent because the vehicle was not  
32 registered in this State or any other state; and (2) the owner is unable to pay the  
33 normal rate for reasons outside of the owner's control. (NRS 706.4477) **Section 2.2**  
34 of this bill similarly provides that if the tow car operator tows a vehicle at the  
35 request of a law enforcement officer pursuant to **section 1**, the owner of the vehicle  
36 is required to pay the hardship tariff, instead of the normal rate, for the cost of the  
37 removal and storage of the vehicle if the owner establishes the inability to pay the  
38 normal rate. **Section 2.2** further provides that the owner establishes the inability to  
39 pay the normal rate by providing evidence that the owner is a recipient of certain  
40 public assistance, has a household net income below a certain amount, has certain  
41 expenses in excess of income or otherwise qualifies for the hardship tariff for a  
42 reason established by the Nevada Transportation Authority by regulation.

43 **Section 2.4** of this bill makes a conforming change to make the definitions in  
44 existing law governing tow car operators applicable to the provisions of  
45 **section 2.2**.

46 **Sections 2.6, 2.8 and 3.3-3.7** of this bill make conforming changes to provide  
47 that the requirements of **section 2.2** are enforced by the Authority in the same  
48 manner as other laws governing tow car operators.

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

1 **Section 1.** NRS 484B.443 is hereby amended to read as  
2 follows:

3 484B.443 1. Except as otherwise provided in subsection 2,  
4 whenever any law enforcement officer finds a vehicle standing upon  
5 a highway in violation of any of the provisions of chapters 484A to  
6 484E, inclusive, of NRS, the officer may move the vehicle, or  
7 require the driver or person in charge of the vehicle to move it, to a  
8 position off the paved, improved or main-traveled part of the  
9 highway.

10 2. Whenever any law enforcement officer finds a vehicle, the  
11 cargo of a vehicle or other property unattended, disabled or spilled  
12 upon any highway, bridge or causeway, or in any tunnel, where the



1 vehicle, cargo or property constitutes an obstruction to traffic,  
2 interferes with the normal flow of traffic or otherwise endangers  
3 public safety, the officer or the law enforcement agency employing  
4 the officer, in coordination with unified command, if applicable,  
5 may provide for the immediate removal of the vehicle, cargo or  
6 property to a position where the vehicle, cargo or property no longer  
7 constitutes an obstruction to traffic, interferes with the normal flow  
8 of traffic or otherwise endangers public safety.

9 3. Except as otherwise provided in subsection 2, any law  
10 enforcement officer may, subject to the requirements of subsection  
11 4, remove any vehicle or part of a vehicle found on the highway, or  
12 cause it to be removed, to a garage or other place of safekeeping if:

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

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

23 (c) *The person driving or in actual physical control of the*  
24 *vehicle has been issued a citation for reckless driving pursuant to*  
25 *NRS 484B.653; or*

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

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

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

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



1 5. A person or entity, including a law enforcement officer, the  
2 law enforcement agency employing the law enforcement officer,  
3 unified command or a tow car operator who provides for the  
4 removal of a vehicle, the cargo of a vehicle or other property  
5 pursuant to subsection 2:

6 (a) Is not liable for any loss of or damage to the vehicle, the  
7 contents of the vehicle, the cargo or the property that is removed;  
8 and

9 (b) Must make a reasonable attempt, as soon as practicable, to  
10 notify the owner of the vehicle, cargo or property as to the location  
11 of the vehicle, cargo or property if the owner of the vehicle or  
12 property is not present at the time of removal and the owner of the  
13 vehicle, cargo or property is ascertainable by the officer.

14 6. All costs incurred under the provisions of subsection 2 must  
15 be borne by the owner of the vehicle, cargo or property.

16 7. As used in this section:

17 (a) "Traffic incident" has the meaning ascribed to it in  
18 NRS 484B.607.

19 (b) "Unified command" means a group of law enforcement  
20 officers or other persons organized to provide a coordinated  
21 response to a traffic incident which requires two or more responding  
22 entities within a jurisdiction or which requires responding entities  
23 from two or more jurisdictions. The responding entities may  
24 include, without limitation, police, fire or emergency medical  
25 personnel, a tow car operator, or a state or local governmental entity  
26 responsible for roadway or other infrastructure repair or  
27 maintenance.

28 **Sec. 2.** NRS 484B.653 is hereby amended to read as follows:  
29 484B.653 1. It is unlawful for a person to:

30 (a) Drive a vehicle in willful or wanton disregard of the safety of  
31 persons or property on a highway or premises to which the public  
32 has access.

33 (b) Drive a vehicle in an unauthorized speed contest on a  
34 highway or premises to which the public has access.

35 (c) Organize an unauthorized speed contest on a highway or  
36 premises to which the public has access.

37 (d) Drive a vehicle in an unauthorized trick driving display on a  
38 ~~public~~ highway ~~or~~ *or premises to which the public has access.*

39 (e) Facilitate an unauthorized trick driving display on a ~~public~~  
40 highway ~~or~~ *or premises to which the public has access.*

41 ➔ A violation of paragraph (a), (b) or (d) of this subsection or  
42 subsection 1 of NRS 484B.550 constitutes reckless driving.

43 2. If, while violating the provisions of subsections 1 to 5,  
44 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of  
45 subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4,



1 inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the  
2 driver of a motor vehicle on a highway or premises to which the  
3 public has access is the proximate cause of a collision with a  
4 pedestrian or a person riding a bicycle, an electric bicycle or an  
5 electric scooter, the violation constitutes reckless driving.

6 3. A person who violates paragraph (a) of subsection 1 is guilty  
7 of a misdemeanor and:

8 (a) For the first offense, shall be punished:

9 (1) By a fine of not less than \$250 but not more than \$1,000;  
10 or

11 (2) By both fine and imprisonment in the county jail for not  
12 more than 6 months.

13 (b) For the second offense, shall be punished:

14 (1) By a fine of not less than \$1,000 but not more than  
15 \$1,500; or

16 (2) By both fine and imprisonment in the county jail for not  
17 more than 6 months.

18 (c) For the third and each subsequent offense, shall be punished:

19 (1) By a fine of not less than \$1,500 but not more than  
20 \$2,000; or

21 (2) By both fine and imprisonment in the county jail for not  
22 more than 6 months.

23 4. A person who violates paragraph (b) or (c) of subsection 1  
24 or commits a violation which constitutes reckless driving pursuant  
25 to subsection 2 is guilty of a misdemeanor and:

26 (a) For the first offense:

27 (1) Shall be punished by a fine of not less than \$250 but not  
28 more than \$1,000;

29 (2) Shall perform not less than 50 hours, but not more than  
30 99 hours, of community service; and

31 (3) May be punished by imprisonment in the county jail for  
32 not more than 6 months.

33 (b) For the second offense:

34 (1) Shall be punished by a fine of not less than \$1,000 but  
35 not more than \$1,500;

36 (2) Shall perform not less than 100 hours, but not more than  
37 199 hours, of community service; and

38 (3) May be punished by imprisonment in the county jail for  
39 not more than 6 months.

40 (c) For the third and each subsequent offense:

41 (1) Shall be punished by a fine of not less than \$1,500 but  
42 not more than \$2,000;

43 (2) Shall perform 200 hours of community service; and

44 (3) May be punished by imprisonment in the county jail for  
45 not more than 6 months.



1 5. In addition to any fine, community service and  
2 imprisonment imposed upon a person pursuant to subsection 4, the  
3 court:

4 (a) Shall issue an order suspending the driver's license of the  
5 person for a period of not less than 6 months but not more than 2  
6 years and requiring the person to surrender all driver's licenses then  
7 held by the person;

8 (b) Within 5 days after issuing an order pursuant to paragraph  
9 (a), shall forward to the Department any licenses, together with a  
10 copy of the order;

11 (c) For the first offense, may issue an order impounding, for a  
12 period of 15 days, any vehicle that is registered to the person who  
13 violates paragraph (b) or (c) of subsection 1 if the vehicle is used in  
14 the commission of the offense; and

15 (d) For the second and each subsequent offense, shall issue an  
16 order impounding, for a period of 30 days, any vehicle that is  
17 registered to the person who violates paragraph (b) or (c) of  
18 subsection 1 if the vehicle is used in the commission of the offense.

19 6. A person who violates paragraph (d) of subsection 1 is guilty  
20 of a gross misdemeanor and:

21 (a) For the first offense:

22 (1) Shall be punished by a fine of not less than \$1,000 but  
23 not more than \$1,500;

24 (2) Shall perform not less than 100 hours, but not more than  
25 199 hours, of community service; and

26 (3) May be punished by imprisonment in the county jail for  
27 not more than 364 days.

28 (b) For the second offense and each subsequent offense:

29 (1) Shall be punished by a fine of not less than \$1,500 but  
30 not more than \$2,000;

31 (2) Shall perform 200 hours of community service; and

32 (3) May be punished by imprisonment in the county jail for  
33 not more than 364 days.

34 7. A person who violates paragraph (e) of subsection 1 is guilty  
35 of:

36 (a) For the first offense, a misdemeanor and:

37 (1) Shall be punished by a fine of not more than \$1,000;

38 (2) Shall perform not less than 50 hours, but not more than  
39 99 hours, of community service; and

40 (3) May be punished by imprisonment in the county jail for  
41 not more than 6 months.

42 (b) For the second offense and each subsequent offense, a gross  
43 misdemeanor and:

44 (1) Shall be punished by a fine of not less than \$1,000 and  
45 not more than \$1,500;



1 (2) Shall perform not less than 100 hours, but not more than  
2 199 hours, of community service; and

3 (3) May be punished by imprisonment in the county jail for  
4 not more than 364 days.

5 8. In addition to any fine, community service and  
6 imprisonment imposed upon a person pursuant to subsection 6 or 7,  
7 the court:

8 (a) May issue an order suspending the driver's license of the  
9 person for a period of not less than 6 months but not more than 2  
10 years and requiring the person to surrender all driver's licenses then  
11 held by the person;

12 (b) Within 5 days after issuing an order pursuant to paragraph  
13 (a), shall forward to the Department any licenses, together with a  
14 copy of the order; and

15 (c) May issue an order impounding, for a period of 30 days, any  
16 vehicle that is registered to the person if the vehicle is used in the  
17 commission of the offense.

18 9. Unless a greater penalty is provided pursuant to subsection 4  
19 of NRS 484B.550, a person who does any act or neglects any duty  
20 imposed by law while driving or in actual physical control of any  
21 vehicle on a highway or premises to which the public has access in  
22 willful or wanton disregard of the safety of persons or property, if  
23 the act or neglect of duty proximately causes the death of or  
24 substantial bodily harm to another person, is guilty of a category B  
25 felony and shall be punished by imprisonment in the state prison for  
26 a minimum term of not less than 1 year and a maximum term of not  
27 more than 6 years and by a fine of not less than \$2,000 but not more  
28 than \$5,000.

29 10. A person who violates any provision of this section may be  
30 subject to any additional penalty set forth in NRS 484B.130 or  
31 484B.135 unless the person is subject to the penalty provided  
32 pursuant to subsection 4 of NRS 484B.550.

33 11. As used in this section:

34 (a) "Facilitate" means to plan, schedule or promote, or assist in  
35 the planning, scheduling or promotion of, an unauthorized trick  
36 driving display or in any other way participate in an unauthorized  
37 trick driving display, including, without limitation:

38 (1) Using a vehicle to divert, slow, impede or otherwise  
39 block traffic with the intent to enable or assist an unauthorized trick  
40 driving display; or

41 (2) Filming or otherwise recording an unauthorized trick  
42 driving display with the intent to promote an unauthorized trick  
43 driving display.

44 (b) "Organize" means to plan, schedule or promote, or assist in  
45 the planning, scheduling or promotion of, an unauthorized speed



1 contest on a ~~public~~ highway ~~or~~ *or premises to which the public*  
2 *has access*, regardless of whether a fee is charged for attending the  
3 unauthorized speed contest.

4 (c) "Trick driving display" means using a vehicle to perform  
5 tricks, stunts or other maneuvers on a ~~public~~ highway , *or*  
6 *premises to which the public has access*, upon which traffic has  
7 been diverted, slowed, impeded or blocked to enable the performing  
8 of such tricks, stunts or maneuvers or having such tricks, stunts or  
9 maneuvers filmed or otherwise recorded.

10 **Sec. 2.2.** Chapter 706 of NRS is hereby amended by adding  
11 thereto a new section to read as follows:

12 *1. If the operator of a tow car tows a vehicle at the request of*  
13 *a law enforcement officer pursuant to paragraph (c) of subsection*  
14 *3 of NRS 484B.443, the operator shall not charge any fee or cost*  
15 *for the storage of the vehicle until at least 48 hours after the*  
16 *vehicle arrives and is registered at the place of storage. If the*  
17 *vehicle arrives at the place of storage after the regular business*  
18 *hours of the place of storage, the 48-hour period begins when the*  
19 *regular business hours of the place of storage next begin.*

20 *2. The owner of a vehicle towed pursuant to paragraph (c) of*  
21 *subsection 3 of NRS 484B.443 shall pay the hardship tariff*  
22 *described in NRS 706.4477 for the cost of removal and storage of*  
23 *the vehicle if the owner demonstrates that the owner is incapable*  
24 *of paying the normal rate charged for the removal and storage of*  
25 *the vehicle by providing evidence that the owner:*

26 *(a) Is receiving benefits provided by a federal or state program*  
27 *of public assistance;*

28 *(b) Has a household net income which is equal to or less than*  
29 *200 percent of the federally designated level signifying poverty as*  
30 *provided in the most recent federal poverty guidelines published in*  
31 *the Federal Registrar by the United States Department of Health*  
32 *and Human Services;*

33 *(c) Resides in public housing, as that term is defined in*  
34 *NRS 315.021;*

35 *(d) Has expenses for the necessities of life that exceed his or*  
36 *her income; or*

37 *(e) Qualifies for a hardship tariff for any other reason*  
38 *established by the Authority by regulation.*

39 **Sec. 2.4.** NRS 706.011 is hereby amended to read as follows:

40 706.011 As used in NRS 706.011 to 706.791, inclusive, *and*  
41 *section 2.2 of this act*, unless the context otherwise requires, the  
42 words and terms defined in NRS 706.013 to 706.146, inclusive,  
43 have the meanings ascribed to them in those sections.





1       **Sec. 2.6.** NRS 706.286 is hereby amended to read as follows:  
2       706.286 1. When a complaint is made against any fully  
3 regulated carrier or operator of a tow car by any person that:

4       (a) Any of the rates, tolls, charges or schedules, or any joint rate  
5 or rates assessed by any fully regulated carrier or by any operator of  
6 a tow car for towing services performed without the prior consent of  
7 the owner of the vehicle or the person authorized by the owner to  
8 operate the vehicle are in any respect unreasonable or unjustly  
9 discriminatory;

10       (b) Any of the provisions of NRS 706.444 to 706.453, inclusive,  
11 *and section 2.2 of this act*, have been violated;

12       (c) Any regulation, measurement, practice or act directly  
13 relating to the transportation of persons or property, including the  
14 handling and storage of that property, is, in any respect,  
15 unreasonable, insufficient or unjustly discriminatory; or

16       (d) Any service is inadequate,  
17       ↳ the Authority shall investigate the complaint. After receiving the  
18 complaint, the Authority shall give a copy of it to the carrier or  
19 operator of a tow car against whom the complaint is made. Within a  
20 reasonable time thereafter, the carrier or operator of a tow car shall  
21 provide the Authority with its written response to the complaint  
22 according to the regulations of the Authority.

23       2. If the Authority determines that probable cause exists for the  
24 complaint, it shall order a hearing thereof, give notice of the hearing  
25 and conduct the hearing as it would any other hearing.

26       3. No order affecting a rate, toll, charge, schedule, regulation,  
27 measurement, practice or act complained of may be entered without  
28 a formal hearing unless the hearing is dispensed with as provided in  
29 NRS 706.2865.

30       **Sec. 2.8.** NRS 706.4463 is hereby amended to read as follows:

31       706.4463 1. In addition to the other requirements of this  
32 chapter, each operator of a tow car shall, to protect the health, safety  
33 and welfare of the public:

34       (a) Obtain a certificate of public convenience and necessity from  
35 the Authority before the operator provides any services other than  
36 those services which the operator provides as a private motor carrier  
37 of property pursuant to the provisions of this chapter;

38       (b) Use a tow car of sufficient size and weight which is  
39 appropriately equipped to transport safely the vehicle which is being  
40 towed; and

41       (c) Comply with the provisions of NRS 706.011 to 706.791,  
42 inclusive *§*, *and section 2.2 of this act*.

43       2. A person who wishes to obtain a certificate of public  
44 convenience and necessity to operate a tow car must:

45       (a) File an application with the Authority; and



1 (b) Submit to the Authority a complete set of fingerprints of  
2 each natural person who is identified by the Authority as a  
3 significant principal, partner, officer, manager, member, director or  
4 trustee of the applicant and written permission authorizing the  
5 Authority to forward the fingerprints to the Central Repository for  
6 Nevada Records of Criminal History for submission to the Federal  
7 Bureau of Investigation for its report.

8 3. The Authority shall issue a certificate of public convenience  
9 and necessity to an operator of a tow car if it determines that the  
10 applicant:

11 (a) Complies with the requirements of paragraphs (b) and (c) of  
12 subsection 1;

13 (b) Complies with the requirements of the regulations adopted  
14 by the Authority pursuant to the provisions of this chapter;

15 (c) Has provided evidence that the applicant has filed with the  
16 Authority a liability insurance policy, a certificate of insurance or a  
17 bond of a surety and bonding company or other surety required for  
18 every operator of a tow car pursuant to the provisions of NRS  
19 706.291; and

20 (d) Has provided evidence that the applicant has filed with the  
21 Authority schedules and tariffs pursuant to subsection 2 of  
22 NRS 706.321.

23 4. An applicant for a certificate has the burden of proving to  
24 the Authority that the proposed operation will meet the requirements  
25 of subsection 3.

26 5. The Authority may hold a hearing to determine whether an  
27 applicant is entitled to a certificate only if:

28 (a) Upon the expiration of the time fixed in the notice that an  
29 application for a certificate of public convenience and necessity is  
30 pending, a petition to intervene has been granted by the Authority;  
31 or

32 (b) The Authority finds that after reviewing the information  
33 provided by the applicant and inspecting the operations of the  
34 applicant, it cannot make a determination as to whether the applicant  
35 has complied with the requirements of subsection 3.

36 **Sec. 3.** NRS 706.4469 is hereby amended to read as follows:

37 706.4469 1. The operator shall allow the owner, or agent of  
38 the owner, of a motor vehicle that has been connected to a tow car to  
39 obtain the release of the vehicle at the point of origination of the  
40 towing if:

41 (a) A request is made to release the vehicle; and

42 (b) Except as otherwise provided in subsection 2, the owner or  
43 agent pays a fee established by the operator for releasing the  
44 vehicle.



1 2. If a vehicle that has been connected to a tow car was  
2 requested to be towed pursuant to subparagraph (2) of paragraph (b)  
3 of subsection 2 of NRS 706.4477 and the owner, or agent of the  
4 owner, provides proof that the vehicle is registered pursuant to this  
5 chapter or chapter 482 of NRS or in any other state:

6 (a) The operator shall immediately release the motor vehicle to  
7 the owner or agent; and

8 (b) The owner or agent is not responsible for paying the fee  
9 established by the operator for releasing the vehicle.

10 3. *The provisions of this section do not apply if a vehicle that*  
11 *has been connected to a tow car was requested to be towed by a*  
12 *law enforcement officer pursuant to paragraph (c) of subsection 3*  
13 *of NRS 484B.443.*

14 4. As used in this section, “provide proof” includes, without  
15 limitation, providing current registration documents in a physical  
16 format or in an electronic format as set forth in NRS 482.255 that  
17 predate the date on which the vehicle was connected to the tow car.

18 **Sec. 3.3.** NRS 706.4483 is hereby amended to read as follows:

19 706.4483 1. The Authority shall act upon complaints  
20 regarding the failure of an operator of a tow car to comply with the  
21 provisions of NRS 706.011 to 706.791, inclusive **§**, *and section*  
22 *2.2 of this act.*

23 2. In addition to any other remedies that may be available to  
24 the Authority to act upon complaints, the Authority may order the  
25 release of towed motor vehicles, cargo or personal property upon  
26 such terms and conditions as the Authority determines to be  
27 appropriate.

28 **Sec. 3.5.** NRS 706.756 is hereby amended to read as follows:

29 706.756 1. Except as otherwise provided in subsection 2, any  
30 person who:

31 (a) Operates a vehicle or causes it to be operated in any carriage  
32 to which the provisions of NRS 706.011 to 706.861, inclusive, *and*  
33 *section 2.2 of this act* apply without first obtaining a certificate,  
34 permit or license, or in violation of the terms thereof;

35 (b) Fails to make any return or report required by the provisions  
36 of NRS 706.011 to 706.861, inclusive, *and section 2.2 of this act* or  
37 by the Authority or the Department pursuant to the provisions of  
38 NRS 706.011 to 706.861, inclusive **§** *and section 2.2 of this act;*

39 (c) Violates, or procures, aids or abets the violating of, any  
40 provision of NRS 706.011 to 706.861, inclusive **§** *and section 2.2*  
41 *of this act;*

42 (d) Fails to obey any order, decision or regulation of the  
43 Authority or the Department;

44 (e) Procures, aids or abets any person in the failure to obey such  
45 an order, decision or regulation of the Authority or the Department;



1 (f) Advertises, solicits, proffers bids or otherwise is held out to  
2 perform transportation as a common or contract carrier in violation  
3 of any of the provisions of NRS 706.011 to 706.861, inclusive **[§]**  
4 ***and section 2.2 of this act;***

5 (g) Advertises as providing:

6 (1) The services of a fully regulated carrier; or

7 (2) Towing services,

8 ↪ without including the number of the person's certificate of public  
9 convenience and necessity or contract carrier's permit in each  
10 advertisement;

11 (h) Knowingly offers, gives, solicits or accepts any rebate,  
12 concession or discrimination in violation of the provisions of this  
13 chapter;

14 (i) Knowingly, willfully and fraudulently seeks to evade or  
15 defeat the purposes of this chapter;

16 (j) Operates or causes to be operated a vehicle which does not  
17 have the proper identifying device;

18 (k) Displays or causes or permits to be displayed a certificate,  
19 permit, license or identifying device, knowing it to be fictitious or to  
20 have been cancelled, revoked, suspended or altered;

21 (l) Lends or knowingly permits the use of by one not entitled  
22 thereto any certificate, permit, license or identifying device issued to  
23 the person so lending or permitting the use thereof; or

24 (m) Refuses or fails to surrender to the Authority or Department  
25 any certificate, permit, license or identifying device which has been  
26 suspended, cancelled or revoked pursuant to the provisions of this  
27 chapter,

28 ↪ is guilty of a misdemeanor, and upon conviction thereof shall be  
29 punished by a fine of not less than \$100 nor more than \$1,000, or by  
30 imprisonment in the county jail for not more than 6 months, or by  
31 both fine and imprisonment.

32 2. Any person who, in violation of the provisions of NRS  
33 706.386, operates as a fully regulated common motor carrier without  
34 first obtaining a certificate of public convenience and necessity or  
35 any person who, in violation of the provisions of NRS 706.421,  
36 operates as a contract motor carrier without first obtaining a permit  
37 is guilty of a misdemeanor and shall be punished:

38 (a) For a first offense within a period of 12 consecutive months,  
39 by a fine of not less than \$500 nor more than \$1,000. In addition to  
40 the fine, the person may be punished by imprisonment in the county  
41 jail for not more than 6 months.

42 (b) For a second offense within a period of 12 consecutive  
43 months and for each subsequent offense that is committed within a  
44 period of 12 consecutive months of any prior offense under this  
45 subsection, by a fine of \$1,000. In addition to the fine, the person



1 may be punished by imprisonment in the county jail for not more  
2 than 6 months.

3 3. Any person who, in violation of the provisions of NRS  
4 706.386, operates or permits the operation of a vehicle in passenger  
5 service without first obtaining a certificate of public convenience  
6 and necessity is guilty of a gross misdemeanor.

7 4. If a law enforcement officer witnesses a violation of any  
8 provision of subsection 2 or 3, the law enforcement officer may  
9 cause the vehicle to be towed immediately from the scene and  
10 impounded in accordance with NRS 706.476.

11 5. The fines provided in this section are mandatory and must  
12 not be reduced under any circumstances by the court.

13 6. Any bail allowed must not be less than the appropriate fine  
14 provided for by this section.

15 **Sec. 3.7.** NRS 706.781 is hereby amended to read as follows:

16 706.781 In addition to all the other remedies provided by NRS  
17 706.011 to 706.861, inclusive, *and section 2.2 of this act* for the  
18 prevention and punishment of any violation of the provisions thereof  
19 and of all orders of the Authority or the Department, the Authority  
20 or the Department may compel compliance with the provisions of  
21 NRS 706.011 to 706.861, inclusive, *and section 2.2 of this act* and  
22 with the orders of the Authority or the Department by proceedings  
23 in mandamus, injunction or by other civil remedies.

