

ASSEMBLY BILL NO. 408—ASSEMBLYWOMAN BROWN-MAY

MARCH 27, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to motor vehicles. (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.

~

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; requiring the inclusion of certain information regarding hardship tariffs in the annual report submitted by the operator of a tow car to the Nevada Transportation Authority; revising provisions governing the towing of a motor vehicle requested by a person other than the owner of the vehicle; prohibiting a tow car operator from charging fees or costs for the storage of a vehicle until the vehicle has been stored for a certain period; requiring the operator of a tow car to consider charging a hardship tariff instead of the normal rate for the storage and removal of the vehicle under certain circumstances; requiring the operator of a tow car to display certain information in his or her place of business; 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 provides that if the towing of a motor vehicle is requested by a
18 person other than the owner, an agent of the owner, a law enforcement officer or
19 other person employed to enforce the laws, ordinances and codes of a local
20 government, the operator of a tow car shall not charge any fee or cost for the
21 storage of the motor vehicle until at least 48 hours after the motor vehicle arrives
22 and is registered at the place of storage. (NRS 706.4477) **Section 3.1** of this bill
23 provides that the operator of a tow car shall not charge any fee or cost for the
24 storage of the motor vehicle until at least 24 hours after the motor vehicle arrives
25 and is registered at the place of storage.

26 Existing law provides that an owner of real property may not have a vehicle
27 towed from a residential complex solely because the registration of the vehicle is
28 expired. (NRS 706.4477) **Section 3.1**: (1) prohibits an operator from charging any
29 fee or cost for the towing of a vehicle solely because the registration of the vehicle
30 is expired; and (2) provides that the towing of such a vehicle by an operator is a
31 violation subject to certain penalties.

32 Existing law further requires the owner of a vehicle that has been towed to pay
33 a hardship tariff, instead of the normal rate, for the cost of removal and storage of
34 the vehicle if: (1) the vehicle was towed from a residential complex at the request
35 of a person other than the owner of the vehicle or the owner's authorized agent
36 because the vehicle was not registered in this State or any other state; and (2) the
37 owner is unable to pay the normal rate for reasons outside of the owner's control.
38 (NRS 706.4477) **Section 3.1** removes the requirement for the owner of a vehicle to
39 pay a hardship tariff under these circumstances and instead requires an operator of a
40 tow car to consider charging a hardship tariff for the removal and storage of a
41 motor vehicle if the owner is unable to pay the normal rate for reasons outside of
42 the owner's control. **Section 3.1** requires an operator of a tow car to display a
43 written notice in his or her place of business: (1) regarding the requirement for the
44 operator to consider charging a hardship tariff; and (2) containing a telephone
45 number for the Authority where a person may report certain alleged violations of
46 law.

47 Existing law requires each fully regulated carrier, operator of a tow car and
48 common or contract motor carrier regulated by the Nevada Transportation
49 Authority to furnish an annual report to the Authority in the form and detail
50 required by the Authority. (NRS 706.167) **Section 2.9** of this bill requires the
51 annual report submitted by the operator of a tow car to include the number of times
52 that the operator charged a hardship tariff during the calendar year.



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
13 vehicle, cargo or property constitutes an obstruction to traffic,
14 interferes with the normal flow of traffic or otherwise endangers
15 public safety, the officer or the law enforcement agency employing
16 the officer, in coordination with unified command, if applicable,
17 may provide for the immediate removal of the vehicle, cargo or
18 property to a position where the vehicle, cargo or property no longer
19 constitutes an obstruction to traffic, interferes with the normal flow
20 of traffic or otherwise endangers public safety.

21 3. Except as otherwise provided in subsection 2, any law
22 enforcement officer may, subject to the requirements of subsection
23 4, remove any vehicle or part of a vehicle found on the highway, or
24 cause it to be removed, to a garage or other place of safekeeping if:

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

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

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

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

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



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

3 4. Unless a different course of action is necessary to preserve
4 evidence of a criminal offense, a law enforcement officer who
5 wishes to have a vehicle or part of a vehicle removed from a
6 highway pursuant to subsection 3 shall, in accordance with any
7 applicable protocol such as a rotational schedule regarding the
8 selection and use of towing services, cause the vehicle or part of a
9 vehicle to be removed by a tow car operator. The tow car operator
10 shall, to the extent practicable and using the shortest and most direct
11 route, remove the vehicle or part of a vehicle to the garage of the
12 tow car operator unless directed otherwise by the officer. The tow
13 car operator is liable for any loss of or damage to the vehicle or its
14 contents that occurs while the vehicle is in the possession or control
15 of the tow car operator.

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

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

24 (b) Must make a reasonable attempt, as soon as practicable, to
25 notify the owner of the vehicle, cargo or property as to the location
26 of the vehicle, cargo or property if the owner of the vehicle or
27 property is not present at the time of removal and the owner of the
28 vehicle, cargo or property is ascertainable by the officer.

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

31 7. As used in this section:

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

34 (b) "Unified command" means a group of law enforcement
35 officers or other persons organized to provide a coordinated
36 response to a traffic incident which requires two or more responding
37 entities within a jurisdiction or which requires responding entities
38 from two or more jurisdictions. The responding entities may
39 include, without limitation, police, fire or emergency medical
40 personnel, a tow car operator, or a state or local governmental entity
41 responsible for roadway or other infrastructure repair or
42 maintenance.

43 **Sec. 2.** NRS 484B.653 is hereby amended to read as follows:
44 484B.653 1. It is unlawful for a person to:



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

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

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

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

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

12 ↪ A violation of paragraph (a), (b) or (d) of this subsection or
13 subsection 1 of NRS 484B.550 constitutes reckless driving.

14 2. If, while violating the provisions of subsections 1 to 5,
15 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of
16 subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4,
17 inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the
18 driver of a motor vehicle on a highway or premises to which the
19 public has access is the proximate cause of a collision with a
20 pedestrian or a person riding a bicycle, an electric bicycle or an
21 electric scooter, the violation constitutes reckless driving.

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

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

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

26 or

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

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

30 (1) By a fine of not less than \$1,000 but not more than
31 \$1,500; or

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

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

35 (1) By a fine of not less than \$1,500 but not more than
36 \$2,000; or

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

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

42 (a) For the first offense:

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



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

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

5 (b) For the second offense:

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

8 (2) Shall perform not less than 100 hours, but not more than
9 199 hours, of community service; and

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

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

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

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

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

18 5. In addition to any fine, community service and
19 imprisonment imposed upon a person pursuant to subsection 4, the
20 court:

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

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

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

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

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

38 (a) For the first offense:

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

41 (2) Shall perform not less than 100 hours, but not more than
42 199 hours, of community service; and

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

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



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

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

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

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

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

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

10 (2) Shall perform not less than 50 hours, but not more than
11 99 hours, of community service; and

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

14 (b) For the second offense and each subsequent offense, a gross
15 misdemeanor and:

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

18 (2) Shall perform not less than 100 hours, but not more than
19 199 hours, of community service; and

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

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

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

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

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

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



1 10. A person who violates any provision of this section may be
2 subject to any additional penalty set forth in NRS 484B.130 or
3 484B.135 unless the person is subject to the penalty provided
4 pursuant to subsection 4 of NRS 484B.550.

5 11. As used in this section:

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

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

13 (2) Filming or otherwise recording an unauthorized trick
14 driving display with the intent to promote an unauthorized trick
15 driving display.

16 (b) "Organize" means to plan, schedule or promote, or assist in
17 the planning, scheduling or promotion of, an unauthorized speed
18 contest on a ~~public~~ highway ~~;~~ *or premises to which the public*
19 *has access*, regardless of whether a fee is charged for attending the
20 unauthorized speed contest.

21 (c) "Trick driving display" means using a vehicle to perform
22 tricks, stunts or other maneuvers on a ~~public~~ highway, *or*
23 *premises to which the public has access*, upon which traffic has
24 been diverted, slowed, impeded or blocked to enable the performing
25 of such tricks, stunts or maneuvers or having such tricks, stunts or
26 maneuvers filmed or otherwise recorded.

27 **Sec. 2.2.** (Deleted by amendment.)

28 **Sec. 2.4.** (Deleted by amendment.)

29 **Sec. 2.6.** (Deleted by amendment.)

30 **Sec. 2.8.** (Deleted by amendment.)

31 **Sec. 2.9.** NRS 706.167 is hereby amended to read as follows:

32 706.167 1. Each fully regulated carrier, operator of a tow car
33 and common or contract carrier regulated by the Authority shall:

34 (a) Keep uniform and detailed accounts of all business
35 transacted in the manner required by the Authority by regulation and
36 render them to the Authority upon its request.

37 (b) Furnish an annual report to the Authority in the form and
38 detail that it prescribes by regulation.

39 ↪ The regulations of the Authority may not require an operator of a
40 tow car to keep accounts and report information concerning towing
41 services other than information that is necessary to permit the
42 Authority to enforce the provisions of NRS 706.011 to 706.791,
43 inclusive.

44 2. Except as otherwise provided in subsection 3, the reports
45 required by this section must be prepared for each calendar year and



1 submitted not later than May 15 of the year following the year for
2 which the report is submitted.

3 3. A carrier may, with the permission of the Authority, prepare
4 the reports required by this section for a year other than a calendar
5 year that the Authority specifies and submit them not later than a
6 date specified by the Authority in each year.

7 4. If the Authority finds that necessary information is not
8 contained in a report submitted pursuant to this section, it may call
9 for the omitted information at any time.

10 **5. *The Authority shall require an operator of a tow car to***
11 ***include in his or her annual report the number of times the***
12 ***operator charged a hardship tariff pursuant to NRS 706.4477***
13 ***during the calendar year.***

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

15 706.4469 1. The operator shall allow the owner, or agent of
16 the owner, of a motor vehicle that has been connected to a tow car to
17 obtain the release of the vehicle at the point of origination of the
18 towing if:

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

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

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

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

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

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

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

40 **Sec. 3.1.** NRS 706.4477 is hereby amended to read as follows:

41 706.4477 1. If towing is requested by a person other than the
42 owner, or an agent of the owner, of the motor vehicle or a law
43 enforcement officer or other person who is employed to enforce the
44 laws, ordinances and codes of a local government:



1 (a) The person requesting the towing must be the owner of the
2 real property from which the vehicle is towed or an authorized agent
3 of the owner of the real property and must sign a specific request for
4 the towing. Except as otherwise provided in subsection 2, for the
5 purposes of this section, the operator is not an authorized agent of
6 the owner of the real property.

7 (b) The area from which the vehicle is to be towed must be
8 appropriately posted in accordance with state or local requirements.

9 (c) Notice must be given to the appropriate law enforcement
10 agency pursuant to state and local requirements.

11 (d) The operator may be directed to terminate the towing by a
12 law enforcement officer.

13 2. If, pursuant to subsection 1, the owner of the real property or
14 authorized agent of the owner of the real property requests that a
15 vehicle be towed from a residential complex at which the vehicle is
16 located, the owner of the real property or authorized agent of the
17 owner, which may be the tow operator if the tow operator has
18 entered into a contract for that purpose with the owner of the real
19 property:

20 (a) Must:

21 (1) Meet the requirements of subsection 1.

22 (2) Except as otherwise provided in this subparagraph, if the
23 vehicle is being towed pursuant to subparagraph (1) or (2) of
24 paragraph (b), notify the owner or operator of the vehicle of the tow
25 not less than 48 hours before the tow by affixing to the vehicle a
26 sticker which provides the date and time after which the vehicle will
27 be towed. The provisions of this subparagraph do not apply and the
28 vehicle may be immediately towed if it is a vehicle for which a
29 notice was previously affixed:

30 (I) For the same or a similar reason within the same
31 residential complex.

32 (II) Three or more times during the immediately
33 preceding 6 months within the same residential complex for any
34 reason, regardless of whether the vehicle was subsequently towed.

35 (b) May only have a vehicle towed:

36 (1) Because of a parking violation;

37 (2) If the vehicle is not registered pursuant to this chapter or
38 chapter 482 of NRS or in any other state; or

39 (3) If the vehicle is:

40 (I) Blocking a fire hydrant, fire lane or parking space
41 designated for the handicapped; or

42 (II) Posing an imminent threat of causing a substantial
43 adverse effect on the health, safety or welfare of the residents of the
44 residential complex, which may include, without limitation, if the



1 vehicle is parked in a space that is clearly marked for a specific
2 resident or the use of a specific unit in the residential complex.

3 (c) May not have a vehicle towed solely because the registration
4 of the vehicle is expired. *An operator may not charge any fee or*
5 *cost for towing a vehicle in violation of this paragraph. The towing*
6 *of a vehicle solely because the registration of the vehicle is expired*
7 *is a violation of this section, subject to the provisions of*
8 *subsection 9.*

9 3. If towing is requested by a county or city pursuant to NRS
10 244.3605 or 268.4122, as applicable:

11 (a) Notice must be given to the appropriate law enforcement
12 agency pursuant to state and local requirements.

13 (b) The operator may be directed to terminate the towing by a
14 law enforcement officer.

15 4. The owner of a motor vehicle towed pursuant to the
16 provisions of subsection 1, 2 or 3:

17 (a) Is presumed to have left the motor vehicle on the real
18 property from which the vehicle is towed; and

19 (b) Subject to the provisions of subsection 7, is responsible for
20 the cost of removal and storage of the motor vehicle.

21 5. The owner may rebut the presumption in subsection 4 by
22 showing that:

23 (a) The owner transferred the owner's interest in the motor
24 vehicle:

25 (1) Pursuant to the provisions set forth in NRS 482.399 to
26 482.420, inclusive; or

27 (2) As indicated by a bill of sale for the vehicle that is signed
28 by the owner; or

29 (b) The vehicle is stolen, if the owner submits evidence that,
30 before the discovery of the vehicle, the owner filed an affidavit with
31 the Department or a written report with an appropriate law
32 enforcement agency alleging the theft of the vehicle.

33 6. An operator shall not charge any fee or cost for the storage
34 of the motor vehicle until at least ~~[48]~~ 24 hours after the motor
35 vehicle arrives and is registered at the place of storage. If the motor
36 vehicle arrives at the place of storage after the regular business
37 hours of the place of storage, the ~~[48-hour]~~ 24-hour period begins
38 when the regular business hours of the place of storage next begin.

39 7. ~~[The owner of the vehicle]~~ *An operator* shall ~~[pay]~~ *consider*
40 *charging* a hardship tariff for the cost of removal and storage of the
41 motor vehicle if ~~[-]~~

42 ~~—(a) A vehicle has been towed pursuant to subparagraph (2) of~~
43 ~~paragraph (b) of subsection 2;~~



1 ~~—(b) The~~ *the* owner of the vehicle , ~~{does not provide proof that~~
2 ~~the vehicle was registered pursuant to this chapter or chapter 482 of~~
3 ~~NRS or in any other state at the time the vehicle was towed; and~~

4 ~~—(c) The owner,}~~ for reasons outside of his or her control as
5 determined by the regulations adopted pursuant to this section, is
6 incapable of paying the normal rate charged for the removal and
7 storage of the motor vehicle.

8 ~~{→}~~ 8. The Authority shall adopt regulations to carry out the
9 provisions of this section, including, without limitation, establishing
10 a range of hardship tariffs ~~{a person}~~ *an operator* may ~~{pay}~~ *charge*
11 pursuant to this section and setting forth what qualifies as a reason
12 that is outside of the control of the owner.

13 ~~{8.}~~ 9. *If a motor vehicle is towed in violation of the*
14 *provisions of this section or an operator charges any fee or cost*
15 *for the towing of a motor vehicle in violation of this section:*

16 (a) *The operator may be subject to a penalty in accordance*
17 *with the provisions of NRS 706.756 to 706.781, inclusive; and*

18 (b) *The owner of the vehicle may bring an action against the*
19 *operator to recover any costs incurred by the person as a result of*
20 *the violation, including, without limitation, any loss of income.*

21 10. *An operator shall display conspicuously in his or her*
22 *place of business a written notice which must contain, in boldface*
23 *type letters not less than 1 inch in height and 1 inch in width:*

24 (a) *A statement that the operator must consider charging a*
25 *hardship tariff under certain circumstances; and*

26 (b) *A telephone number for the Authority where a person may*
27 *report a violation of the provisions of this chapter.*

28 11. As used in this section:

29 (a) “Parking violation” means a violation of any:

30 (1) State or local law or ordinance governing parking; or

31 (2) Parking rule promulgated by the owner or manager of the
32 residential complex that applies to vehicles on the property of the
33 residential complex.

34 (b) ~~{“Provide proof” includes, without limitation, providing~~
35 ~~current registration documents in a physical format or in an~~
36 ~~electronic format as set forth in NRS 482.255 that predate the date~~
37 ~~on which the vehicle was towed.~~

38 ~~—(c)}~~ “Residential complex” means a group of apartments,
39 condominiums or townhomes intended for use as residential units
40 and for which a common parking area is provided, regardless of
41 whether each resident or unit has been assigned a specific parking
42 space in the common parking area.

43 **Sec. 3.3.** (Deleted by amendment.)

44 **Sec. 3.5.** (Deleted by amendment.)



1 **Sec. 3.7.** (Deleted by amendment.)

⑩

