

Amendment No. 264

Assembly Amendment to Assembly Bill No. 408	(BDR 43-95)
<b>Proposed by:</b> Assembly Committee on Judiciary	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





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

10 Existing law makes it unlawful for a person to drive a vehicle in an unauthorized trick  
11 driving display or to facilitate an unauthorized trick driving display on a public highway.  
12 (NRS 484B.653) **Section 2** of this bill additionally prohibits a person from driving a vehicle in  
13 an unauthorized trick driving display or facilitating an unauthorized trick driving display on  
14 premises to which the public has access.

15 Existing law requires that, under certain circumstances, a registered owner of a  
16 vehicle that is towed must pay certain fees and charges to the tow car operator for the  
17 towing, storage and removal of the vehicle. (NRS 484B.443, 706.4477, 706.4479) Existing  
18 law: (1) prohibits the tow car operator from charging any fee or cost for the storage of  
19 the vehicle until at least 48 hours has passed since the motor vehicle arrived and was  
20 registered at the place of storage; and (2) requires that if the motor vehicle arrives at the  
21 place of storage after the regular business hours of the place of storage, the 48-hour

22 period must begin when the regular business hours of the place of storage next begin.  
 23 (NRS 706.4477) Section 2.2 of this bill makes these provisions applicable when a tow car  
 24 operator tows a vehicle at the request of a law enforcement officer pursuant to section 1.  
 25 Existing law further requires the owner of a vehicle that has been towed to pay a  
 26 hardship tariff, instead of the normal rate, for the cost of removal and storage of the  
 27 vehicle if: (1) the vehicle was towed at the request of a person other than the owner of  
 28 the vehicle or the owner’s authorized agent because the vehicle was not registered in this  
 29 State or any other state; and (2) the owner is unable to pay the normal rate for reasons  
 30 outside of the owner’s control. (NRS 706.4477) Section 2.2 of this bill similarly provides  
 31 that if the tow car operator tows a vehicle at the request of a law enforcement officer  
 32 pursuant to section 1, the owner of the vehicle is required to pay the hardship tariff,  
 33 instead of the normal rate, for the cost of the removal and storage of the vehicle if the  
 34 owner establishes the inability to pay the normal rate. Section 2.2 further provides that  
 35 the owner establishes the inability to pay the normal rate by providing evidence that the  
 36 owner is a recipient of certain public assistance, has a household net income below a  
 37 certain amount, has certain expenses in excess of income or otherwise qualifies for the  
 38 hardship tariff for a reason established by the Nevada Transportation Authority by  
 39 regulation.  
 40 Section 2.4 of this bill makes a conforming change to make the definitions in existing  
 41 law governing tow car operators applicable to the provisions of section 2.2.  
 42 Sections 2.6, 2.8 and 3.3-3.7 of this bill make conforming changes to provide that the  
 43 requirements of section 2.2 are enforced by the Authority in the same manner as other  
 44 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 follows:  
 2       484B.443 1. Except as otherwise provided in subsection 2, whenever any  
 3 law enforcement officer finds a vehicle standing upon a highway in violation of any  
 4 of the provisions of chapters 484A to 484E, inclusive, of NRS, the officer may  
 5 move the vehicle, or require the driver or person in charge of the vehicle to move it,  
 6 to a position off the paved, improved or main-traveled part of the highway.  
 7       2. Whenever any law enforcement officer finds a vehicle, the cargo of a  
 8 vehicle or other property unattended, disabled or spilled upon any highway, bridge  
 9 or causeway, or in any tunnel, where the vehicle, cargo or property constitutes an  
 10 obstruction to traffic, interferes with the normal flow of traffic or otherwise  
 11 endangers public safety, the officer or the law enforcement agency employing the  
 12 officer, in coordination with unified command, if applicable, may provide for the  
 13 immediate removal of the vehicle, cargo or property to a position where the vehicle,  
 14 cargo or property no longer constitutes an obstruction to traffic, interferes with the  
 15 normal flow of traffic or otherwise endangers public safety.  
 16       3. Except as otherwise provided in subsection 2, any law enforcement officer  
 17 may, subject to the requirements of subsection 4, remove any vehicle or part of a  
 18 vehicle found on the highway, or cause it to be removed, to a garage or other place  
 19 of safekeeping if:  
 20       (a) The vehicle has been involved in a crash and is so disabled that its normal  
 21 operation is impossible or impractical and the person or persons in charge of the  
 22 vehicle are incapacitated by reason of physical injury or other reason to such an  
 23 extent as to be unable to provide for its removal or custody, or are not in the  
 24 immediate vicinity of the disabled vehicle;  
 25       (b) The person driving or in actual physical control of the vehicle is arrested  
 26 for any alleged offense for which the officer is required by law to take the person  
 27 arrested before a proper magistrate without unnecessary delay; ~~to~~

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

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

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

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

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

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

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

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

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

30 7. As used in this section:

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

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

39 **Sec. 2.** NRS 484B.653 is hereby amended to read as follows:

40 484B.653 1. It is unlawful for a person to:

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

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

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

47 (d) Drive a vehicle in an unauthorized trick driving display on a [public]  
48 highway [ ] *or premises to which the public has access.*

49 (e) Facilitate an unauthorized trick driving display on a [public] highway [ ] *or*  
50 *premises to which the public has access.*

51 ↪ A violation of paragraph (a), (b) or (d) of this subsection or subsection 1 of NRS  
52 484B.550 constitutes reckless driving.

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

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

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

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

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

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

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

16               (2) By both fine and imprisonment in the county jail for not more than 6  
17 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 \$2,000; or

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

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

25           (a) For the first offense:

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

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

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

32           (b) For the second offense:

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (a) For the first offense:

11 (1) Shall be punished by a fine of not less than \$1,000 but not more than  
12 \$1,500;

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

15 (3) May be punished by imprisonment in the county jail for not more than  
16 364 days.

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

18 (1) Shall be punished by a fine of not less than \$1,500 but not more than  
19 \$2,000;

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

21 (3) May be punished by imprisonment in the county jail for not more than  
22 364 days.

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

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

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

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

28 (3) May be punished by imprisonment in the county jail for not more than  
29 6 months.

30 (b) For the second offense and each subsequent offense, a gross misdemeanor  
31 and:

32 (1) Shall be punished by a fine of not less than \$1,000 and not more than  
33 \$1,500;

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

36 (3) May be punished by imprisonment in the county jail for not more than  
37 364 days.

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

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

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

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

47 9. Unless a greater penalty is provided pursuant to subsection 4 of NRS  
48 484B.550, a person who does any act or neglects any duty imposed by law while  
49 driving or in actual physical control of any vehicle on a highway or premises to  
50 which the public has access in willful or wanton disregard of the safety of persons  
51 or property, if the act or neglect of duty proximately causes the death of or  
52 substantial bodily harm to another person, is guilty of a category B felony and shall  
53 be punished by imprisonment in the state prison for a minimum term of not less

1 than 1 year and a maximum term of not more than 6 years and by a fine of not less  
2 than \$2,000 but not more than \$5,000.

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

6 11. As used in this section:

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

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

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

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

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

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

26 **1. If the operator of a tow car tows a vehicle at the request of a law**  
27 **enforcement officer pursuant to paragraph (c) of subsection 3 of NRS 484B.443,**  
28 **the operator shall not charge any fee or cost for the storage of the vehicle until at**  
29 **least 48 hours after the vehicle arrives and is registered at the place of storage. If**  
30 **the vehicle arrives at the place of storage after the regular business hours of the**  
31 **place of storage, the 48-hour period begins when the regular business hours of**  
32 **the place of storage next begin.**

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

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

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

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

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

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

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

49 706.011 As used in NRS 706.011 to 706.791, inclusive, **and section 2.2 of**  
50 **this act**, unless the context otherwise requires, the words and terms defined in NRS  
51 706.013 to 706.146, inclusive, have the meanings ascribed to them in those  
52 sections.

53 **Sec. 2.6. NRS 706.286 is hereby amended to read as follows:**



1           706.286 1. When a complaint is made against any fully regulated carrier or  
2 operator of a tow car by any person that:

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

8           (b) Any of the provisions of NRS 706.444 to 706.453, inclusive, and section  
9 2.2 of this act, have been violated;

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

13           (d) Any service is inadequate,

14           ↳ the Authority shall investigate the complaint. After receiving the complaint, the  
15 Authority shall give a copy of it to the carrier or operator of a tow car against whom  
16 the complaint is made. Within a reasonable time thereafter, the carrier or operator  
17 of a tow car shall provide the Authority with its written response to the complaint  
18 according to the regulations of the Authority.

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

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

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

26           706.4463 1. In addition to the other requirements of this chapter, each  
27 operator of a tow car shall, to protect the health, safety and welfare of the public:

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

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

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

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

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

39           (b) Submit to the Authority a complete set of fingerprints of each natural  
40 person who is identified by the Authority as a significant principal, partner, officer,  
41 manager, member, director or trustee of the applicant and written permission  
42 authorizing the Authority to forward the fingerprints to the Central Repository for  
43 Nevada Records of Criminal History for submission to the Federal Bureau of  
44 Investigation for its report.

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

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

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

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

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

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

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

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

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

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 the owner, of a  
16 motor vehicle that has been connected to a tow car to obtain the release of the  
17 vehicle at the point of origination of the towing if:

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

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

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

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

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

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

32 4. As used in this section, "provide proof" includes, without limitation,  
33 providing current registration documents in a physical format or in an electronic  
34 format as set forth in NRS 482.255 that predate the date on which the vehicle was  
35 connected to the tow car.

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

37 706.4483 1. The Authority shall act upon complaints regarding the failure  
38 of an operator of a tow car to comply with the provisions of NRS 706.011 to  
39 706.791, inclusive, and section 2.2 of this act.

40 2. In addition to any other remedies that may be available to the Authority to  
41 act upon complaints, the Authority may order the release of towed motor vehicles,  
42 cargo or personal property upon such terms and conditions as the Authority  
43 determines to be appropriate.

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

45 706.756 1. Except as otherwise provided in subsection 2, any person who:

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

50 (b) Fails to make any return or report required by the provisions of NRS  
51 706.011 to 706.861, inclusive, and section 2.2 of this act or by the Authority or the  
52 Department pursuant to the provisions of NRS 706.011 to 706.861, inclusive, and  
53 section 2.2 of this act;

1 (c) Violates, or procures, aids or abets the violating of, any provision of NRS  
2 706.011 to 706.861, inclusive, ~~§~~ and section 2.2 of this act;

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

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

7 (f) Advertises, solicits, proffers bids or otherwise is held out to perform  
8 transportation as a common or contract carrier in violation of any of the provisions  
9 of NRS 706.011 to 706.861, inclusive, ~~§~~ and section 2.2 of this act;

10 (g) Advertises as providing:

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

12 (2) Towing services,

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

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

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

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

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

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

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

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

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

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

41 (b) For a second offense within a period of 12 consecutive months and for each  
42 subsequent offense that is committed within a period of 12 consecutive months of  
43 any prior offense under this subsection, by a fine of \$1,000. In addition to the fine,  
44 the person may be punished by imprisonment in the county jail for not more than 6  
45 months.

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

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

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

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

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

4           706.781 In addition to all the other remedies provided by NRS 706.011 to  
5 706.861, inclusive, **and section 2.2 of this act** for the prevention and punishment of  
6 any violation of the provisions thereof and of all orders of the Authority or the  
7 Department, the Authority or the Department may compel compliance with the  
8 provisions of NRS 706.011 to 706.861, inclusive, **and section 2.2 of this act** and  
9 with the orders of the Authority or the Department by proceedings in mandamus,  
10 injunction or by other civil remedies.