

ASSEMBLY BILL NO. 96—ASSEMBLYMAN ARAUJO

PREFILED FEBRUARY 2, 2017

Referred to Committee on Transportation

SUMMARY—Revises provisions governing motor carriers.
(BDR 58-118)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor carriers; expanding the circumstances under which an owner or operator of a motor vehicle that is used for the transportation of passengers or property is not subject to certain provisions governing fully regulated carriers; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, certain common carriers or contract carriers of passengers
2 or household goods are subject to supervision and regulation as fully regulated
3 carriers by the Nevada Transportation Authority. (NRS 706.072, 706.166) An
4 exemption from that supervision and regulation is provided for an owner or
5 operator of a motor vehicle used for the transportation of passengers or property if
6 the owner or operator: (1) holds a nonrestricted license and is a resort hotel; (2) is
7 not in the business of and does not charge a fee for transporting passengers or
8 property; (3) provides transportation only to its customers, guests, casino hosts, key
9 employees, officers and directors; (4) marks the vehicle with the owner’s or
10 operator’s name or logo; and (5) uses the motor vehicle only in relation to the
11 business of the resort hotel for which the nonrestricted license was issued. The
12 owner or operator is required to inspect the motor vehicle regularly, maintain a
13 record of the inspections for at least 3 years and make the records available for
14 inspection or audit by the Authority or its designee. (NRS 706.741)

15 This bill expands that exemption to include an owner or operator of a motor
16 vehicle that is used for the transportation of passengers or property if an affiliate of
17 the owner or operator of the motor vehicle complies with the provisions of existing
18 law governing the exemption. An affiliate is defined as a person who, directly or
19 indirectly through one or more intermediaries, controls, is controlled by or is under
20 common control with the owner or operator. This bill also requires such an affiliate
21 to comply with the requirements of existing law relating to inspections of the motor
22 vehicle and the maintenance of records of those inspections.



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

1 **Section 1.** NRS 706.741 is hereby amended to read as follows:
2 706.741 1. An owner or operator of a motor vehicle that is
3 used for the transportation of passengers or property is not subject to
4 the provisions of this chapter governing fully regulated carriers if:

5 (a) The owner or operator , *or an affiliate of the owner or*
6 *operator*, of the motor vehicle:

7 (1) Holds a nonrestricted license and is a resort hotel;

8 (2) Is not in the business of transporting passengers or
9 property;

10 (3) Does not charge a fee for transporting passengers or
11 property;

12 (4) Provides transportation only to its customers, guests,
13 casino hosts, key employees, officers and directors; and

14 (5) Marks the vehicle with the ~~owner's or operator's~~ name
15 or logo ~~of~~ *of the owner or operator, or an affiliate of the owner or*
16 *operator*, which must be at least 2 inches in height and be visible
17 from a distance of at least 50 feet; and

18 (b) The use of the motor vehicle is related to the business of the
19 resort hotel for which the nonrestricted license *of the owner or*
20 *operator, or an affiliate of the owner or operator*, was issued.

21 2. ~~Am~~ *The* owner or operator , *or an affiliate of the owner or*
22 *operator*, of a motor vehicle specified in subsection 1 shall regularly
23 inspect the motor vehicle and maintain a record of the inspection for
24 at least 3 years after the date of the inspection. Each record
25 maintained pursuant to this subsection must be made available for
26 inspection or audit by the Authority or its designee at any time
27 during regular business hours.

28 3. As used in this section:

29 (a) *"Affiliate"* has the meaning ascribed to it in
30 *NRS 463.0133*;

31 (b) "Nonrestricted license" has the meaning ascribed to it in
32 *NRS 463.0177*; and

33 ~~(b)~~ (c) "Resort hotel" has the meaning ascribed to it in
34 *NRS 463.01865*.

35 **Sec. 2.** This act becomes effective on July 1, 2017.

