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MEMBERS PRESENT: Chairman Stewart
Vice Chairman Sader
Mr. Thompson
Miss Foley
Mr. Beyer
Mr. Price
Mr. Chaney
Mr. Malone
Mrs. Cafferata
Mrs. Ham
Mr. Banner

MEMBERS ABSENT: None

GUESTS PRESENT: Roger Detweiler, State Bar of Nevada
David Hagen, Washoe County Bar
Bob Shriver, Nevada Trial Lawyers Association
Ned Solomon, Clark County Juvenile Court
Mike Brown, Administrative Office of the Courts
Rick Pugh, Nevada State Medical Association
Bill Curran, Nevada State Bar
Michael de la Torre, DLEA
Barton Jacka, Director - DMV

Chairman Stewart called the meeting to order at 9:05 a.m. and asked for testimony on AB 537.

AB 537: Requires attorney to fulfill certain conditions before commencing action for malpractice.

Erik Beyer, Assembly District 24, stated that due to scheduling problems there were some people absent who should be allowed to testify at a later date if necessary. He explained that this bill stems from lawsuits, particularly in his profession of engineering, where quite often professionals are named in suits where they may not be parties to the particular case. They are then required to appear in court and defend themselves. This statute was introduced in California several years ago. The first statute covered physicians, dentists and the medical profession. A year later Assemblyman Green introduced a bill that would cover engineers, land surveyors and architects. Mr. Beyer next stated that a colleague of his attended a meeting a couple of years ago where there had been a problem with an engineering project. Civil engineers, geologists and architects were invited to attend the meeting to try and resolve the problem. The attorney for the client was trying to establish a basis for a lawsuit. Some of the professionals in attendance were parties and may have had liability, but several who were not involved at all. The attorney decided to name all the professionals present in the suit.

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AB 537 would require the attorney to review the case before filing it in court to determine that there is merit and that all named are in fact parties to the suit. Mr. Beyer referred to the practice of naming Does in lawsuits. This bill would require the review by another professional in the field. The first portion of the bill speaks primarily to architects, attorneys, professional engineers, and land surveyors. The next portion speaks to the medical profession.

Mr. Sader asked what the disposition of the cases mentioned was. Mr. Beyer did not have that information. Mr. Sader commented that from personal experience in bringing suits against people, if someone is named who is not a party to an action, there are costs and considerable work involved in defending a motion to dismiss.

Rick Pugh, Executive Director of the State Medical Association, stated his association supports AB 537 in the hope that it will help alleviate non-meritorious lawsuits. As Administrator for the Screening Panel which will be eliminated within the next couple of weeks, he commented that portion of the bill should be amended. He stated that the practice of naming physicians in suits in which they are not involved has caused quite a bit of turmoil. He felt this might be a way to help educate attorneys. Mr. Pugh stated the bills in California have been having some effect.

Mr. Pugh suggested amending Section 41A, dealing specifically with the screening panel, to address the same language as the engineers. He added that there will be voluntary screening panels established both in the north and south areas of the State.

By way of explanation, Chairman Stewart stated that the practice of naming John Does is used in a complicated lawsuit where the names of all the parties are not known. This allows that once those names are determined, they can be brought into the suits.

David Hagen, representing the Washoe County Bar Association, addressed section 1 of the bill, opposing the measure. He felt it unlikely to achieve the objective sought. He agreed that there were unmeritorious actions brought against professionals and others. There are also the torts of abuse of process and malicious prosecution where professionals have been sued wrongly, maliciously and wantonly. Those professionals have been able to maintain an action against the attorney and the party to recover damages for the tort. Mr. Hagen added that the Supreme Court has already promulgated a code of professional responsibility in the Supreme Court Rules governing the activities of lawyers. If an attorney brings a non-meritorious suit, he is subject to discipline by the administrative committee in his district, by the

Board of Governors of the Nevada State Bar and by the Nevada Supreme Court. He added that there are civil tort rules which could cause that individual to be subject to money liability to the victim.

Bill Curran, a member of the Board of Governors of the State Bar, concurred with Mr. Hagen's testimony and stated that the Board of Governors has voted to oppose this legislation, feeling that it unduly undermines citizens' access to court. These matters are properly determined through proper legal channels. If there are abuses by attorneys of wildly making claims against professionals, there are avenues in which they can be remedied. The Nevada Supreme Court has, in the last couple of months, sustained a very large verdict against an attorney in Reno who brought an unfounded action against a doctor there. There is also disciplinary action available within the State Bar Association against people who violate their professional ethics. He commented that the judgment against the errant attorney was in excess of \$50,000. It was his opinion that there is not widespread abuse, but agreed that there have been isolated incidents which have been remedied through the courts.

Roger Detweiler of the State Bar stated that since he works very closely with the disciplinary activities, he is aware of several situations in which the Bar has become involved with this type of problems. Most of those things do not become public, but there is a mechanism to deal with them effectively. He concurred also in the testimony of Mr. Curran and Mr. Hagen.

Mr. Detweiler agreed with the doctors to the abolition of the panels which would render the second portion of this bill moot. Adding this additional burden to the screening panel which already provides a special hearing for a particular group of people is really onerous and the Board felt that should not occur and the panels could be done away with. It appears that will occur. He added that there would be equal protection problems in deciding which professions get this special attention and who does not.

Bob Shriver, Executive Director of the Nevada Trial Lawyers Assoc., reiterated the previous testimony of Mr. Hagen, Mr. Detweiler and Mr. Curran. He commented that he gets numerous calls on malpractice inquiries which are screened thoroughly before recommending an attorney. It was his opinion that the pitfalls of this bill far outweigh the problem as it exists today.

Chairman Stewart asked for committee introduction of BDR 16-192*, BDR 14-1939*, BDR 14-1936†, BDR 16-1835††, BDR 5-1818^, BDR 5-1799^A. There was objection to the introduction by several members of the committee, to which Chairman Stewart defended the juvenile courts by saying they had their request in February and the bills are just now getting drafted. In light of that, the committee agreed to introduce the bills.

AB 386: Provides that prisoner sentenced to life with possibility of parole must serve minimum of 10 years in prison.

Mr. Sader stated that he had researched his questions on the amendment which required a 20 year limitation before being considered for parole and included 5 criteria before determining whether the inmate was parolable after serving the 20 years. The Parole Board drafted the amendment. He briefly reviewed Amendment No. 370 and explained the provisions were indicated important and necessary to the Parole Board.

Mr. Malone moved AMEND AB 386 in accordance with Amendment No. 370, seconded by Miss Foley, and carried unanimously by the committee, Mr. Price being absent.

Mr. Sader moved DO PASS AB 386, seconded by Mr. Malone, and carried unanimously by the committee, Mr. Price being absent.

AB 560: Makes various administrative changes concerning commission on crime, delinquency and corrections.

Nick Horn, Assembly District 15, stated that the Ways and Means Committee, in an effort to consolidate operations to improve the administration of government, recognizing the fact that LEAA which was federally funded was no longer to be federally funded, had a subcommittee on prisons, parole, probation, law enforcement assistance meet with all interested parties to make a recommendation. They recommended that since the office was to run out of federal funds, the two divisions currently existing within that organization be placed under the Department of Motor Vehicles in the same manner that the Highway Patrol and others are listed as separate divisions. In working out a budget, Mr. Jacka found there was a savings of \$142,000, giving increased impetus to the desirability of the transfer. In doing this, there is no desire to lose good people. Chairman Bremner and Mr. Horn met with the Governor to make sure that the current Director, Mike de la Torre, would have a place in State government if he would like. They did not want to jeopardize a creative and constructive person with great talents and abilities, but instead to give him something they felt more meaningful to do than to be a figurehead over two divisions which could run themselves.

*AB 622 †AB 624 ^ AB 626
*AB 623 ††AB 625 ^^ AB 627 (Committee Minutes)

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Mr. Horn continued by saying that the recommendation was then that these two divisions become separate divisions and placed under the DMV and Mr. Jacka. The amendments to this bill reflect that change and the change in the funding structure.

The POST program (Peace Officer Training Program) is going to fit very harmoniously with the Highway Patrol Officer Training Program. It is envisioned that the Department of Narcotics will be a separate division under the Highway Patrol or similar to the way the Highway Patrol functions. The intent is to keep everything as well in balance as possible, but try to cut the budgets and save every dollar possible. Mr. Horn commented that education is between \$25 million and \$40 million short. The Ways and Means Committee cut \$600,000 out of the budget for parole and probation and law enforcement assistance. There will be another \$2 million cut in prisons. This is an attempt to consolidate efforts wherever possible, streamline as much as possible and try not to lose good people, insuring that those people remain in positions where they can contribute as much or more.

Barton Jacka, Director of the Department of Motor Vehicles, stated that the Chairman of Ways and Means asked him to put together a tentative budget for the consolidation of DLEA and some of its operations within the DMV. There was a minimum net savings of about \$142,000 in the biennium. With that in mind, Mr. Jacka was instructed to put together the necessary amendments to AB 560 which would transfer the responsibility to the DMV. Amendment 803 (EXHIBIT A) does that. The majority of the amendments clarify that the operation would be within DMV as opposed to DLEA. Mr. Jacka further confirmed that the Government has indicated his approval of this project and the transmittal of the operation to DMV and echoed his comments in relationship to Michael de la Torre -- it is not an effort to do any harm to him but simply an effort to consolidate, save money and still be effective in state government.

To Miss Foley's question about who will be losing their jobs on the top level, Mr. Jacka stated there will be a secretary and the Director's position. There are two other positions that are fully federally funded that will automatically expire budgetarily at the end of December. Clerical positions are easily replaced within State government. It is the Governor's desire to place Mr. de la Torre in one of three or four positions that he is reviewing at the present time.

Amendment No. 803 is substituted in lieu of AB 560 as an entirely new bill. Mr. Jacka explained the amendments as follows.

Section 2 indicates the creation of the investigations division, which is similar to what the present statute calls for, and indicates the appointment of the division chief and the various

investigators and agents that work within the unit.

Section 3 talks about the chief of the investigations division as it does in Section 2. That is a slight change from what the present law indicates. The present law calls this the investigations and narcotics division. It was DLEA's proposal in AB 560 to change it to the investigations division as opposed to narcotics. That was primarily for the reason that they provide services throughout the state to the small counties of a broad investigative nature. There is confusion at times when a narcotics agent is investigating a homicide.

Section 3 simply outlines the specific statutory duties for the chief of the investigations division and all of the services that he and his agents perform. It is not unlike what is presently in the law, but just a carry-through picking it up in Chapter 481, the DMV statute.

Section 4 requires an additional amendment from the wording, "on forms provided by the division" to "on forms approved by the division". In many instances an arrest report could be satisfactory to give this information to the division of investigations.

Section 4 simply indicates that each sheriff and chief of police shall furnish to the division certain information in relationship to the arrests involving narcotic violators and those involving dangerous drugs and controlled substances. This is exactly what is in the law now except for the word "approved" as compared to "provided".

Section 5 is a change from the present law. Presently in the law, the crime commission appoints the POST committee and is comprised of members of the crime commission. This amendment does away with the crime commission since there isn't any federal funding received and there are no funds within the budget to pay for their services. It has gone by the wayside as a matter of routine anyway. It was representative of a forum for criminal justice, particularly in the law enforcement area throughout the state. The Governor felt there was no necessity to continue that. As a result, the POST committee had to be restructured. The change is that the Director of DMV would appoint the Peace Officer Standards and Training Committee, consisting of 3 committee members. Mr. de la Torre had asked for 5 members, but upon analysis, Mr. Jacka felt 3 would be sufficient due to the fact that there is no money provided for their services and it would have to come within the limits of DMV's responsibility budgetarily. One representative would come from the criminal justice system of law enforcement in Clark County and one from Washoe County.

At subsection 2 of Section 5, "from any other county" should be deleted and replaced with "at large". The reason for that change is that Mr. de la Torre pointed out that Mr. Jacka could appoint a representative of a state agency who has law enforcement responsibilities to serve on the committee since many state agencies are POST trained.

The balance of Section 5 indicates when the meetings will be called and what the POST committee will do. This is very similar to what the present statute talks about. The only change is at subsection 5 where it indicates that the Director may adopt the regulations necessary for the operation of the committee and the enforcement of laws administered by the committee. By way of explanation, Mr. Jacka stated that the POST committee is that group of people who develop the regulations and set the standards for a basic minimum level of training that must be administered to all peace officer types in the State of Nevada, whether county, city or state employees. The committee must continue to be maintained because many lawsuits have been settled and presently involve themselves around the existence of the committee to set standards for training, recruitment and hiring.

Section 6 outlines the departmental duties, covers NRS 481.023, and defines the existing chapters that are within the law for DMV and further relates the departmental duties in relation to the Controlled Substance and Dangerous Drug Act that the division of investigation would properly perform. It is similar to the present law, except where it incorporates Chapter 454 relating to dangerous drugs. It is limited to dangerous drugs since 454 includes a lot of other areas, such as prophylactics.

Section 7 is a follow-through of the previous bill passed which emanated from the DMV, AB 73, which is the reorganization of DMV changing the mandatory to a permissive state. The investigation division has been added into that using exactly the same language as previously passed.

At Section 8, 2(4)(e), EXHIBIT B is inserted for the language in EXHIBIT A. This clarifies Chapter 454 and 453 and the specific responsibilities of the division of investigations.

Page 5 of EXHIBIT A is an explanation of the appropriation and the exception to the appropriation. At Section 9 it indicates that except for the operation of the drivers license division and the investigations division, money would come from the highway fund for the proper administration of DMV functions. This explicitly outlines the fact that investigation and drivers license comes from the general fund.

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Section 10 is a change from the old wording of the investigation and narcotics division of DLEA to the investigations division of the department of motor vehicles for the purpose of under-cover license plates for the vehicles used to operate and perform their functions with.

Section 11 changes the drivers license issuance for under-cover purposes from the investigation and narcotics division of DLEA to investigation division of DMV.

Section 12 is an explanation of the responsibility of a division and bringing into play the fact that the investigations division would be a part of the operation under 485.033.

Section 13 is the police officer status and changes the terminology as in Section 10. Mr. Jacka pointed out that the present law indicates that the director of DLEA is a peace officer for the purpose of performing arrests and conducting investigations. This gives Mr. Jacka police officer capability. He indicated that he is a retired police officer of 21½ years experience with Metro. He felt it appropriate to give the director this status if investigations is brought under DMV. This does not relate to early retirement.

Section 14 is the wiretap law, relating to the wiretap reporting necessary under the present law, indicating that in January of each year, the attorney general or the district attorney of each county reports to the respective US court as to wiretaps for which court orders were issued, with a copy of that previously being copied to the crime commission, now going to investigations under DMV.

At subsection 3, that should be changed to 4, with a new 3 being in accordance with EXHIBIT B. When the Crime Commission Act was totally eliminated, this section was left out and needs to be placed in. This states that the investigations division of the DMV shall, on or before April 30 of each year, compile a report which provides a summary and analysis of all of the reports submitted to the investigations division of DMV pursuant to NRS 179.515. The report must be open to inspection by the general public.

Section 15 simply includes the investigations division as in Section 10.

Section 16 is the Privacy and Security Act, already in the law, and indicates what law enforcement agencies in those areas involved in the criminal justice system have to do in reporting their compliance with the Act. This makes the conformation to the Director of DMV in lieu of the crime commission.

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Section 18 is a follow-through as in Section 10 insofar as the responsibility for administering the Privacy and Security Act.

Section 19 deals with first degree murder in the aggravated situations and again changes the terminology as in Section 10.

Section 20 is the terminology change again, giving the capability for the investigators to legally possess false identification when used in narcotics and prostitution investigations.

Section 21 deals with the State Communications Board, of which Mr. Jacka is a member statutorily. This simply indicates that the microwave channels assigned to the department would be DMV instead of DLEA.

Section 22 is the early retirement statute, with the change bringing an agent of the investigations division in.

Section 23 is a change in the law. Mr. Jacka referred to AB 274, previously passed by the assembly. AB 274 changed the purchase price capability for all of the vehicles listed therein. If this bill were passed, it might cause concern to AB 274. He suggested this section be conformed to that bill.

Sections 24 through 29 are terminology changes as in Section 10.

Section 30 is a change in the law. NRS 706.8841 indicates that taxi administrator has to forward to the investigation division the fingerprint cards for the applicants for taxi permits in Clark County. The division of investigation in turn forwards it to the FBI. The taxi administrator indicated that he does not do that now. The provision was put in the law to eliminate the problem that the FBI wouldn't receive those cards except from a duly constituted law enforcement agency. The taxi administrator is presently able to do that and handles it. It was Mr. Jacka's suggestion that the language at subsection 1(a) be amended to read "must be forwarded to the Federal Bureau of Investigation. . .".

EXHIBIT C is inserted as Section 31 in conformance with the audit report conducted by the Legislative Audit.

Section 32 repeals the sections dealing with the crime commission.

Section 33 indicates that the regulations presently in existence on July 1, 1981 and adopted by DLEA would remain in effect until modified by DMV.

Mr. Jacka stated that it is his intention that the investigations division be a separate, distinct division, with the chief presently as he exists and the agents involved to perform the functions outlined by statute. The POST personnel employed by the

State would operate out of the office of the director. They have a separate budget account. It is Mr. Jacka's intention to analyze the operation to determine the feasibility of intermingling them with the training section of the Nevada Highway Patrol.

Chairman Stewart suggested inserting an effective date into the bill and indicated it would be discussed.

Ned Solomon, Deputy Director of the Clark County Juvenile Court, indicated he had not seen the amendments but expressed concern over the make-up of the committee, indicating the juvenile court must have representation, with one of the members being either a juvenile judge or chief probation officer. Mr. Solomon stated that because juvenile crime is such a big part of the crime problem, it needs representation. He indicated that all probation officers throughout the state are peace officers and should be POST certified. There has been an approved course through POST developed where the emphasis is on juvenile crime. That should be continued.

Mr. Sader asked if the concerns of the juvenile court has been taken care of in the amendment. Mr. Jacka indicated he thought they had been but would review the amendments with Mr. Solomon to resolve any problems that may not have been addressed. Mr. Jacka continued by saying that due to the fact that LEAA funds would be discontinued, there would be no purpose for the crime commission. The Department of Motor Vehicles and the Office of Planning have the capability of receiving awards and grants from the federal government in the event those funds are not discontinued. A program could then be put together and approved by Interim Finance to transmit that money to projects approved.

Mike Brown, State Court Administrator, stated he was opposed to AB 560, but the amendment presents very few problems. He expressed concern over what happens if federal funds exist. It was indicated as before that the Office of Planning has the capability of receiving and transmitting those funds.

Since there was no further testimony, Chairman Stewart adjourned the meeting at 10:30 a.m.

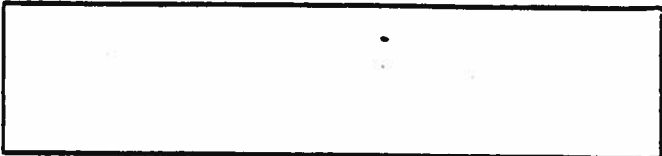
Respectfully submitted,


Joy Jan M. Martin
Committee Stenographer

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	Assembly	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to Assembly	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 560	← Joint Resolution No. →
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	BDR 16-1734	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	Proposed by Committee on Ways and Means	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>		
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment N^o 803



Amend the bill as a whole by deleting sections 1 through 33 and adding new sections to be designated as sections 1 through 32, following the enacting clause, to read as follows:

"Section 1. Chapter 481 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. The investigation division is composed of:

1. A chief appointed by the director; and
2. Within the limitations of legislative appropriation, a number of investigators and agents which the director determines to be sufficient to carry out the duties of the division, who are employed in the classified service of the state.

Sec. 3. The chief of the investigation division shall:

1. Furnish services relating to the investigation of crimes, including interrogation with the use of polygraph instruments, upon the request of the attorney general or any sheriff, chief of police or district attorney.
2. Disseminate information relating to the dangers of the use of controlled substances and dangerous drugs.
3. Provide and operate a system of recording all information received by the division relating to persons who have alleged connections with organized crime or have some connection with violations of laws regulating controlled substances or dangerous drugs.
4. Arrange for the purchase of controlled substances and dangerous drugs when such a purchase is necessary in an investigation of offenses relating to controlled substances and dangerous drugs.

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Drafted by DS:ab:smc Date 5-3-81

5. Procure from law enforcement agencies and other reliable sources information relating to violators of laws which govern controlled substances and dangerous drugs, including information about their character, probable motives, circumstances of arrest, methods of operation and other pertinent information.

6. Enforce the provisions of chapter 453 of NRS.

7. Furnish information relating to any person of whom he maintains a record to any law enforcement agency.

Sec. 4. Each sheriff and chief of police shall furnish to the division, on forms ^{approved} provided by the division, all information obtained in an investigation or prosecution of any person who has been alleged to have violated any criminal law of this state if in the investigation of the violation it appears that there is some connection with controlled substances or dangerous drugs.

Sec. 5. 1. The director shall appoint the peace officers standards and training committee.

2. The committee consists of three members, one appointed from Clark County, one from Washoe County and one ^{at large} from any other county. Members shall serve terms of 2 years from the date of appointment.

3. The committee shall:

(a) Meet at the call of the director.

(b) Provide for and encourage training and education of peace officers in order to improve the system of criminal justice.

(c) Adopt regulations establishing minimum standards for recruitment, selection and training of peace officers.

(d) Make necessary inquiries to determine whether agencies of the state and of local governments are complying with standards set forth in its regulations.

4. Regulations adopted by the committee:

(a) Apply to all agencies of the state and of local governments which employ persons as peace officers; and

(b) May require that training be carried on at institutions which it approves in those regulations.

5. The director may adopt regulations necessary for the operation of the committee and the enforcement of laws administered by the committee.

Sec. 6. NRS 481.023 is hereby amended to read as follows:

481.023 Except as otherwise provided therein, the department of motor vehicles shall execute, administer and enforce, and perform the functions and duties provided in:

1. Title 43 of NRS relating to vehicles.
2. Chapter 706 of NRS relating to licensing of motor vehicle carriers and the use of public highways by such carriers.
3. Chapter 366 of NRS relating to imposition and collection of taxes on special fuels used for motor vehicles.
4. Chapter 233F relating to the state communications system.

5. Chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs.

Sec. 7. NRS 481.067 is hereby amended to read as follows:

481.067 1. The department [shall consist of:

1. The] may include:

(a) A registration division.

[2. The] (b) A motor carrier division.

[3. The] (c) A drivers' license division.

[4. The] (d) A Nevada highway patrol division and communications subdivision.

[5. The] (e) An administrative services division.

[6. The] (f) An automation division.

[7. Such] (g) An investigation division.

(h) Such other divisions as the director may [in his discretion] from time to time establish.

2. Before he reorganizes the department, the director shall obtain the approval of:

(a) The legislature, if it is in regular session; or

(b) The interim finance committee, if the legislature is not in regular session.

Sec. 8. NRS 481.071 is hereby amended to read as follows:

481.071 [The] 1. Any change in the organization of the department may include the / divisions, functions and responsibilities set forth in subsection 2 but must not include those described in subsection 3.

2. Unless the organization of the department is changed by the director, the primary functions and responsibilities of the [various] divisions of the department [shall be as follows:] are:

[1.] (a) The registration division shall execute, administer and enforce the provisions of chapter 482 of NRS and [shall] perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 482 of NRS and the provisions of any other laws.

[2.] (b) The motor carrier division shall : [execute,]

(1) Execute, administer and enforce the laws relative to the licensing of motor vehicle carriers and the use of public highways by such carriers as contained in chapter 706 of NRS ; [, and shall perform]

(2) Perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 706 of NRS and the provisions of any other laws ; [and shall execute,]

(3) Execute, administer and enforce the provisions of chapter 366 of NRS, relating to imposition and collection of taxes on special fuels used for motor vehicles ; [, and shall perform] and

(4) Perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 366 of NRS and the provisions of any other laws.

[3.] (c) The drivers' license division shall execute, administer and enforce the provisions of chapter 483 of NRS and [shall] perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 483 of NRS and the provisions of any other laws.

[4. The Nevada highway patrol division shall execute, administer and enforce the provisions of chapter 484 of NRS and shall perform such duties and exercise such powers as may be conferred upon it pursuant to NRS 481.180 and the provisions of any other laws.

5.] (d) The administrative services divisions shall furnish fiscal and accounting services to the director and the various divisions and [shall] advise and assist the director and the various divisions in carrying out their functions and responsibilities.

(e) The investigation division shall execute, administer and enforce the provisions of chapters 453 and 454 of NRS and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 481 of NRS and any other laws.

3. The Nevada highway patrol division shall execute, administer and enforce the provisions of chapter 484 of NRS and perform such duties and exercise such powers as are conferred upon it pursuant to NRS 481.180 and any other laws.

Sec. 9. NRS 481.083 is hereby amended to read as follows:

481.083 1. Except for the operation of the drivers' license division [,] and the investigation division, money

for the administration of the provisions of this chapter must be provided by direct legislative appropriation from the state highway fund upon the presentation of budgets in the manner required by law.

2. All money provided for the support of the department and its various divisions must be paid out on claims approved by the director in the same manner as other claims against the state are paid.

Sec. 10. NRS 482.368 is hereby amended to read as follows:

482.368

1. Except as provided in subsection 2, the department shall provide suitable distinguishing plates for exempt vehicles. These plates must be provided at cost and must be displayed on the vehicles in the same manner as provided for privately owned vehicles. Any license plates authorized by this section must be immediately returned to the department when the vehicle for which they were issued ceases to be used exclusively for the purpose for which it was exempted from the privilege and use tax.

2. License plates furnished for:

(a) Those automobiles which are maintained for and used by the governor or under the authority and direction of the chief parole and probation officer, the state contractors' board and auditors, the state fire marshal, the investigation [and narcotics] division

of the department of [law enforcement assistance] motor vehicles and any authorized federal or out-of-state law enforcement agency;

(b) One automobile used by the Nevada state prison, two automobiles used by the Nevada girls training center, and four automobiles used by the Nevada youth training center;

(c) Vehicles of a city, county or the state, except any assigned to the Nevada industrial commission, if authorized by the department for purposes of law enforcement or work related thereto or such other purposes as are approved upon proper application and justification; and

(d) Automobiles maintained for and used by investigators of the following:

(1) The state gaming control board;

(2) The division of brand inspection of the state department of agriculture;

(3) The attorney general;

(4) Duly appointed city or county juvenile officers;

(5) District attorney offices;

(6) Sheriff offices; and

(7) Police departments in the state.

finish shall not bear any distinguishing mark which would serve to identify the automobiles as owned by the state, county or city. These license plates must be issued annually for \$5.50 per set.

3. The director may enter into agreements with departments of motor vehicles of other states providing for exchanges of license plates of regular series for automobiles maintained for and used by investigators of the law enforcement agencies enumerated in paragraph (d) of subsection 2, subject to all of the requirements imposed by that paragraph, except that the fee required by that paragraph may not be charged.

4. Applications for the licenses must be made through the head of the department, board, bureau, commission, school district or irrigation district, or through the chairman of the board of county commissioners of the county or town or through the mayor of the city, owning or controlling the vehicles, and no plate or plates may be issued until a certificate has been filed with the department showing that the name of the department, board, bureau, commission, county, city, town, school district or irrigation district, as the case may be, and the words "For Official Use Only" have been permanently and legibly affixed to each side of the vehicle, except those automobiles enumerated in subsection 2.

5. For the purposes of this section, "exempt vehicle" means a vehicle exempt from the privilege tax, except one owned by the United States.

6. The department shall adopt regulations governing the use of all license plates provided for in this section. Upon a finding by the department of any violation of its regulations, it may revoke the violator's privilege of registering vehicles pursuant to this section.

Sec. 11. NRS 483.340 is hereby amended to read as follows:

483.340 1. The department shall (upon payment of the required fee) issue to every applicant qualifying therefor a driver's license indicating the type or class of vehicles the licensee may drive, which license [shall] must bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license [shall be] is valid until it has been so signed by the licensee.

2. The department may issue a driver's license for identification purposes only for use by officers of local police and sheriffs' departments and agents of the investigation [and narcotics] division of the department of [law enforcement assistance] motor vehicles while engaged in special undercover narcotics or prostitution investigations. No such license may be issued for use by any federal agent or investigator under any circumstances. An application for such a license [shall] must be made through the head of the police or sheriff's department or the chief of the investigation [and narcotics] division. Such a license [shall be] is exempt from the fees required by NRS 483.410. The department, by regulation, shall provide for the cancellation of any such driver's license upon the completion of the special investigation for which it was issued.

3. Information pertaining to the issuance of a driver's license under subsection 2 is confidential.

4. It is unlawful for any person to use a driver's license issued under subsection 2 for any purpose other than the special investigation for which it was issued.

5. A person may attach to his driver's license any document which identifies him as a donor of all or part of his body pursuant to NRS 451.500 to 451.595, inclusive.

Sec. 12. NRS 485.033 is hereby amended to read as follows:

485.033 "Division" means the drivers' license division of the department of motor vehicles [.] or any other division of the department to which the director has assigned responsibility for administration of this chapter.

Sec. 13. NRS 169.125 is hereby amended to read as follows:

169.125 "Peace officer" includes:

1. The bailiff of the supreme court and bailiffs of the district courts, justices' courts and municipal courts;
2. Sheriffs of counties and of metropolitan police departments and their deputies;
3. Constables and their deputies when carrying out their official duties [.] ;

4. Personnel of the Nevada highway patrol when exercising the police powers specified in NRS 481.150 and 481.180;

5. The inspector or field agents of the motor carrier division of the department of motor vehicles when exercising the police powers specified in NRS 481.049;

6. Members of and all inspectors employed by the public service commission of Nevada when exercising those enforcement powers conferred by chapters 704 to 706, inclusive, of NRS;

7. Marshals and policemen of cities and towns;

8. Parole and probation officers;

9. Special investigators employed by the office of any district attorney or the attorney general;

10. Arson investigators for fire departments specially designated by the appointing authority;

11. Members of the University of Nevada System police department;

12. The state fire marshal and his assistant and deputies;

13. The brand inspectors of the state department of agriculture when exercising the enforcement powers conferred in chapter 565 of NRS;

14. Arson investigators for the state forester firewarden specially designated by the appointing authority;

15. The deputy director, superintendents, correctional officers and other employees of the department of prisons when carrying out any duties prescribed by the director of the department of prisons;

16. Division of state parks employees designated by the administrator of the division of state parks in the state department of conservation and natural resources when exercising police powers specified in NRS 407.065;

17. Security officers employed by the board of trustees of any school district;

18. The executive, supervisory and investigative personnel of the Nevada gaming commission and the state gaming control board when exercising the enforcement powers specified in NRS 463.140 or when investigating a violation of a provision of chapter 205 of NRS in the form of a crime against the property of a gaming licensee;

19. The director, division chiefs, investigators, agents and other sworn personnel of the investigation division of the department of [law enforcement assistance;] motor vehicles;

20. Field dealer inspectors of the vehicle compliance and enforcement section of the registration division of the department of motor vehicles when exercising the police powers specified in NRS 481.048;

21. Vehicle emission control officers of the vehicle emission control section of the registration division of the department of motor vehicles when exercising the police powers specified in NRS 481.0481;

22. The personnel of the Nevada department of wildlife when exercising those enforcement powers conferred by Title 45 and chapter 488 of NRS;

23. Security officers of the legislature of the State of Nevada when carrying out duties prescribed by the legislative commission;

24. Group supervisors of the Nevada girls training center and the Nevada youth training center when carrying out any duties prescribed by the superintendents of their respective institutions;

25. Security officers ~~employed~~ by a city or county when carrying out duties prescribed by ordinance; and

26. Security officers of the buildings and grounds division of the department of general services when carrying out duties prescribed by the director of the department of general services.

employed

Sec. 14. NRS 179.515 is hereby amended to read as follows:

179.515 1. In January of each year, the attorney general and the district attorney of each county shall report to the Administrative Office of the United States Courts the information required to be reported pursuant to 18 U.S.C. § 2519. A copy of [such report shall] the report must be filed with the [commission on crimes, delinquency and corrections.] investigation division of the department of motor vehicles. In the case of a joint application by the attorney general and a district attorney both shall make the report.

2. Every justice of the supreme court or district court judge who signs an order authorizing or denying an interception shall, within 30 days after the termination of the order or any extension thereof, file with the [commission on crimes, delinquency and corrections] investigation division of the department of motor vehicles on forms [furnished by the commission] approved by the division a report containing the same information required to be reported pursuant to 18 U.S.C. § 2519. [Such report shall] The report must also indicate whether a party to an intercepted wire communication had consented to [such] the interception.

3. The willful failure of any officer to report any information known to him which is required to be reported pursuant to subsection 1 or 2 constitutes malfeasance in office and, in such cases, the secretary of state shall, when the wrong becomes known to him, [instigate] institute legal proceedings for the removal of that officer.

Sec. 15. Chapter 179A of NRS is hereby amended by adding thereto a new section which shall read as follows:

"Division" means the investigation division of the department of motor vehicles.

Sec. 16. NRS 179A.010 is hereby amended to read as follows:

179A.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179A.020 to 179A.070, inclusive, and section 15 of this act, have the meanings ascribed to them in those sections.

Sec. 17. NRS 179A.080 is hereby amended to read as follows:

179A.080 The [commission] director of the department of motor vehicles is responsible for administering this chapter and may adopt regulations for that purpose. The [commission] director shall:

1. Establish regulations for the security of the system of Nevada records of criminal history so that it is adequately protected from fire, theft, loss, destruction, other hazards and unauthorized access.
2. Adopt regulations and standards for personnel employed by agencies of criminal justice in positions of responsibility for maintenance and dissemination of records of criminal history.
3. Provide for audits of information systems by qualified public or private agencies, organizations or persons.

Sec. 18. NRS 179A.150 is hereby amended to read as follows:

179A.150

1. Each state, municipal, county or metropolitan police agency shall permit a person, who is or believes he may be the subject of a record of criminal history maintained by that agency, to appear in person during normal business hours of the agency and inspect any recorded information held by that agency pertaining to him. This right of access does not extend to data contained in intelligence, investigative or other related files, and does not include any information other than that defined as a record of criminal history.

2. Each agency shall adopt regulations and make available necessary forms to permit inspection and review of Nevada records of criminal history by those persons who are the subjects thereof. The regulations must specify:

(a) The reasonable periods of time during which the records are available for inspection;

(b) The requirements for proper identification of the persons seeking access to the records; and

(c) The reasonable charges or fees, if any, for inspecting records.

3. All law enforcement agencies which maintain communications with the repository of Nevada records of criminal history shall procure for and furnish to any person who requests it, and pays a reasonable fee therefor, all of the information contained in its records of criminal history which pertains to the person making the request.

4. The [commission] director of the department of motor vehicles shall adopt regulations governing:

(a) All challenges to the accuracy or sufficiency of records of criminal history by the person who is the subject of the allegedly inaccurate or insufficient record;

(b) The correction of any record of criminal history found by the [commission] director to be inaccurate, insufficient or incomplete in any material respect;

(c) The dissemination of corrected information to those persons or agencies which have previously received inaccurate or incomplete information; and

(d) A time limit of not more than 90 days within which an inaccurate or insufficient record of criminal history must be corrected and the corrected information disseminated. The corrected information must be sent to each person who requested the information in the 12 months preceding the date on which the correction was made, to the address given by each person who requested the information when the request was made.

Sec. 19. NRS 200.033 is hereby amended to read as follows:

200.033 The only circumstances by which murder of the first degree may be aggravated are:

1. The murder was committed by a person under sentence of imprisonment.

2. The murder was committed by a person who was previously convicted of another murder or of a felony involving the use or threat of violence to the person of another.

3. The murder was committed by a person who knowingly created a great risk of death to more than one person by means of a weapon, device or course of action which would normally be hazardous to the lives of more than one person.

4. The murder was committed while the person was engaged, or was an accomplice, in the commission of or an attempt to commit or flight after committing or attempting to commit, any robbery, forcible rape, arson in the first degree, burglary or kidnaping in the first degree.

5. The murder was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

6. The murder was committed by a person, for himself or another, for the purpose of receiving money or any other thing of monetary value.

7. The murder was committed upon a peace officer or fireman who was killed while engaged in the performance of his official duty or because of an act performed in his official capacity, and the defendant knew or reasonably should have known that the victim was a peace officer or fireman. For purposes of this subsection "peace officer" means sheriffs of counties and their deputies, marshals and policemen

of cities and towns, the chief and agents of the investigation [and narcotics] division of the department of [law enforcement assistance,] motor vehicles, personnel of the Nevada highway patrol, and the director, deputy director, correctional officers and other employees of the department of prisons when carrying out the duties prescribed by the director of the department.

8. The murder involved torture, depravity of mind or the mutilation of the victim.

9. The murder was committed upon one or more persons at random and without apparent motive.

Sec. 20. NRS 205.465 is hereby amended to read as follows:

205.465

1. It is unlawful for any person to possess, sell or transfer any document for the purpose of establishing a false status, occupation, membership, license or identity for himself or any other person.

2. A person who sells or transfers any such document shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. A person who possesses any such document is guilty of a misdemeanor.

3. Subsection 1 does not:

(a) Preclude the adoption by a city or county of an ordinance prohibiting the possession of any such document.

(b) Prohibit the possession or use of such documents by officers of local police, sheriff and metropolitan police departments and by agents

of the investigation [and narcotics] division of the department of [law enforcement assistance] motor vehicles while engaged in undercover narcotics or prostitution investigations.

Sec. 21. NRS 233F.110 is hereby amended to read as follows:

233F.110

1. The board shall establish and administer policy respecting the development, administration and operation of the state communications system. The board shall provide sufficient numbers of microwave channels for use by state agencies.

2. Regulations governing the joint use of the state communications system must establish a minimum standard for such use and are supplemental to rules or regulations of the Federal Communications Commission on the same subject.

3. Except as provided in subsection 5, microwave channels assigned to user agencies by the board must not be reassigned without the concurrence of the user agency.

4. Microwave channels may be assigned to the department of [law

enforcement assistance] motor vehicles for assignment by that department to local, state and federal criminal justice agencies as that department may desire. The department of [law enforcement assistance] motor vehicles shall assume the operating costs of those channels and bill user agencies for those costs.

5. The board may revoke the assignment of a microwave channel if an agency fails to pay for its use and may reassign that channel to another agency.

Sec. 22. NRS 286.061 is hereby amended to read as follows:

286.061 1. "Police officer" means a member, who is a full-time employee of a participating public employer, whose principal duties consist of enforcing the laws of the State of Nevada or any of its political subdivisions and who is:

- (a) A member of the Nevada highway patrol who exercises the police powers specified in NRS 481.0491 and 481.180;
- (b) The sheriff of a county or of a metropolitan police department, a detective, or a deputy sheriff;
- (c) The chief of police of an incorporated city or unincorporated town, a detective, or a subordinate police officer;
- (d) A correctional officer of the state prison whose duties require daily contact with the prisoners for a majority of his work;
- (e) A guard, jailer or matron of a county or city jail;

(f) An agent of the investigation [and narcotics] division of the department of [law enforcement assistance;] motor vehicles; or

(g) The former holder of one of the positions enumerated in paragraphs (a) to (f), inclusive, who has been promoted by the same public employer to a position related to law enforcement.

2. The board may, subject to statutory limitations, adopt regulations stipulating employee positions in these categories whose holders shall be deemed "police officers." Service in any position not enumerated in this section does not entitle a member to early retirement as a police officer.

Sec. 23. NRS 334.010 is hereby amended to read as follows:

334.010 1. Except as otherwise provided in this subsection, and in subsections 2 and 3, and except for automobiles to be used as ambulances, any automobile purchased by or on behalf of the State of Nevada, any department, office, bureau, or official or employee thereof, must not cost more than \$6,000 as its entire purchase price, whether to be paid for entirely in money or part by exchange of another automobile traded in. The state board of examiners, however, may approve the purchase of an automobile costing more than \$6,000 if the purpose of the automobile is to carry seven or more passengers or if it is a multi-purpose automobile.

2. Any automobile purchased by or on behalf of the governor must not cost more than \$10,000 as its entire purchase price, whether to be paid for entirely in money or part by exchange of another automobile traded in.

3. Any automobile purchased for use as a highway patrol vehicle must not cost more than \$8,000 as its entire purchase price, whether to be paid for entirely in money or in part by exchange of another automobile traded in.

4. No automobile may be purchased by any department, office, bureau, official or employee of the state without prior written consent of the state board of examiners.

5. All such automobiles may be used for official purposes only.

6. All such automobiles, except automobiles maintained for and used by the governor or by or under the authority and direction of the chief parole and probation officer, the state contractors' board and

auditors, the state fire marshal, the investigation [and narcotics] division of the department of [law enforcement assistance] motor vehicles and investigators of the state gaming control board and the

attorney general, and one automobile used by the department of prisons, two automobiles used by the Nevada girls training center, three automobiles used by the Nevada youth training center, and four automobiles used by the youth parole bureau of the youth services division of the department of human resources, must be labeled by painting the words "State of Nevada" and "For Official Use Only" thereon in plain lettering. The director of the department of general services or his representative shall prescribe the size and location of the label for all such automobiles.

7. Any officer or employee of the State of Nevada who violates any provision of this section is guilty of a misdemeanor.

Sec. 24. NRS 453.076 is hereby amended to read as follows:

453.076 "Division" means the investigation [and narcotics] division of the department of [law enforcement assistance.] motor vehicles.

Sec. 25. NRS 453.690 is hereby amended to read as follows:

453.690 1. Every person or institution authorized to dispense or administer narcotic drugs shall furnish to the health division of the department, the investigation [and narcotics] division of the department of [law

enforcement assistance] motor vehicles and the state board of pharmacy such information as the health division or the board may require by regulations.

2. Every public official or employee having duties to perform with respect to narcotic drugs shall furnish to the health division of the department, the investigation [and narcotics] division of the department

of [law enforcement assistance] motor vehicles and the state board of pharmacy such information as the regulations of the health division or the board may require.

Sec. 26. NRS 454.700 is hereby amended to read as follows:

454.700 Members, inspectors and investigators of the board, inspectors of the Food and Drug Administration and agents of the investigation division of the department of [law enforcement assistance] motor vehicles may remove any record required to be kept by

state or federal law or regulation including prescriptions from a prescription file, if the record in question is considered necessary as evidence in a criminal action or an administrative proceeding, or contemplated proceeding, and if a true copy containing all of the information appearing on the record is substituted therefor. Both the copy and the original record must be dated and initialed by the member, inspector, investigator and agent and by the registered pharmacist in charge, indicating that all of the information appearing on the original record, on that date, also appears on the copy thereof.

Sec. 27. NRS 639.236 is hereby amended to read as follows:

639.236 1. All prescriptions filled in any pharmacy must be serially numbered and filed in the manner prescribed by regulation of the board. Prescriptions for Schedule II controlled substances as defined in chapter 453 of NRS, must be filed separately from other prescriptions or in a readily retrievable manner as the board may provide by regulation. All prescriptions must be retained on file for at least 2 years.

2. Each prescription on file must bear the date on which it was originally filled and be personally signed or initialed by the registered pharmacist who filled it.

3. Prescription files are open to inspection by members, inspectors and investigators of the board and by inspectors of the Food and Drug

Administration and agents of the investigation division of the department of [law enforcement assistance.] motor vehicles.

Sec. 28. NRS 639.238 is hereby amended to read as follows:

639.238 1. Prescriptions filled and on file in a pharmacy are not a public record. A pharmacist shall not divulge the contents of any prescription or provide a copy of any prescription, except to:

- (a) The patient for whom the original prescription was issued; -
- (b) The practitioner who originally issued the prescription;
- (c) A practitioner who is then treating the patient;
- (d) A member, inspector or investigator of the board or an inspector

of the Food and Drug Administration or an agent of the investigation division of the department of [law enforcement assistance;] motor vehicles;

(e) An agency of state government charged with the responsibility of providing medical care for the patient;

(f) An insurance carrier, on receipt of written authorization signed by the patient or his legal guardian, authorizing the release of such information; or

(g) Any person duly authorized by a district court order.

2. Any copy of a prescription for a controlled substance as defined in chapter 453 of NRS or a dangerous drug as defined in chapter 454 of NRS, issued to a person authorized by this section to receive such copy, must contain all of the information appearing on the original prescription and be clearly marked on its face, "Copy, Not Refillable - For Reference Purposes Only"; and such a copy must bear the name or initials of the registered pharmacist who prepared the copy.

3. If a copy of a prescription for any controlled substance as defined in chapter 453 of NRS or a dangerous drug as defined in chapter 454 of NRS is furnished to the customer, the original prescription must be voided and notations made thereon showing the date and the name of the person to whom the copy was furnished.

4. If, at the express request of a customer, a copy of a prescription for any controlled substance or dangerous drug is furnished to another pharmacist, the original prescription must be voided and notations made thereon showing the date and the name of the pharmacist to whom the copy was furnished. The pharmacist receiving the copy shall call the prescribing practitioner for a new prescription.

Sec. 29. NRS 639.239 is hereby amended to read as follows:

639.239 Members, inspectors and investigators of the board, inspectors of the Food and Drug Administration and agents of the investigation division of the department of [law enforcement assistance] motor vehicles are authorized to remove an original pre-

scription from a prescription file, if the prescription in question is considered necessary as evidence in a criminal action or an administrative proceeding, or contemplated proceeding, and if a true copy containing all of the information appearing on the prescription is substituted

therefor. Both the copy and the original prescription [shall] must be dated and initialed by the member, inspector, investigator and agent and by the registered pharmacist in charge, indicating that all of the information appearing on the original prescription, on that date, also appears on the copy thereof.

Sec. 30. NRS 706.8841 is hereby amended to read as follows:

706.8841 1. The administrator shall issue a driver's permit to qualified persons who wish to be employed by certificate holders as taxicab drivers. Before issuing a driver's permit, the administrator shall:

(a) Require the applicant to submit a set of his fingerprints, which must be forwarded to the [identification and communications/ investigation division of the department of [law enforcement assistance] motor vehicles and to the] Federal Bureau of Investigation to ascertain whether the applicant has a criminal record and the nature of any such record, and shall further investigate the applicant's background; and

(b) Require proof that the applicant:

(1) Has been a resident of the state for 30 days prior to his application for a permit;

(2) Can read and orally communicate in the English language; and

(3) Has a valid license issued under NRS 483.325 which authorizes him to drive a taxicab in this state.

2. The administrator may refuse to issue a driver's permit if the applicant has been convicted of:

(a) A felony, other than a felony for a sexual offense, in the State of Nevada or any other state, territory or nation within 5 years before the date of the application, or a felony involving any sexual offense at any time; or

(b) Driving under the influence of intoxicating beverages, dangerous drugs or controlled substances within 3 years before the date of the application.

3. The administrator may refuse to issue a driver's permit if the administrator, after the background investigation of the applicant, determines that the applicant is morally unfit or if the issuance of the driver's permit would be detrimental to public health, welfare or safety.

4. A taxicab driver shall pay to the administrator, in advance, the sum of \$5 for an original driver's permit and \$2.50 for a renewal.

32
Sec. 31. NRS 179A.040 and 216.015 to 216.321, inclusive, are hereby repealed.

33
Sec. 32. Regulations adopted by the department of law enforcement assistance which were in effect on July 1, 1981, remain in effect and must be enforced by the director of the department of motor vehicles until the director has adopted similar regulations, or repealed or amended the regulations of the department of law enforcement assistance."

Amend the title of the bill to read as follows:

"AN ACT relating to state government; providing for the termination of the commission on crimes, delinquency and corrections, and the department of law enforcement assistance; establishing an investigation division in the department of motor vehicles; and providing other matters properly relating thereto."

EXHIBIT B

79.4
4. (e) The investigation division shall execute, administer and enforce the provisions of chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs and perform such duties and exercise such powers as may be conferred upon it pursuant to chapter 481 of NRS and any other laws.

79.8
3. The investigations division of the department of motor vehicles shall, on or before April 30 of each year, compile a report which provides a summary and analysis of all the reports submitted to the investigations division of the department of motor vehicles pursuant to NRS 179.515. The report must be open to inspection by the general public.

Section 31.

1. The director may, from time to time, withdraw monies, as he determines necessary to assist local law enforcement agencies or the division in the purchase of evidence and in the employment of persons other than peace officers to obtain evidence. The director may keep the money in bank accounts or in cash.

2. Upon the written request of the director for the withdrawal of the money, the state controller is directed to draw his warrant in favor of the director in an amount not to exceed the legislative appropriation or any limitations set on the appropriation by the legislature.