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ASSEMBLY BILL NO. 169—ASSEMBLYMEN ATKINSON, MCCLAIN, SEGERBLOM; ANDERSON, ARBERRY, CARPENTER, CLABORN, CONKLIN, DENIS, DONDERO LOOP, GOICOECHEA, HARDY, HOGAN, HORNE, KIRKPATRICK, KOIVISTO, LESLIE, MANENDO, MASTROLUCA, MORTENSON, PARNELL, PIERCE, SMITH AND SPIEGEL

FEBRUARY 13, 2009

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Referred to Committee on Transportation

SUMMARY—Makes various changes concerning the regulation of motor carriers. (BDR 58-870)

FISCAL NOTE: Effect on Local Government: No.  
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.

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AN ACT relating to motor carriers; requiring impounding of certain vehicles when no certificate of public convenience and necessity has been issued to authorize their operation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill adds vehicles that provide towing services or the transportation of  
2 household goods to the list of vehicles that must be impounded if operated without  
3 a required certificate of public convenience and necessity to authorize their  
4 operation.

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

1 **Section 1.** NRS 706.476 is hereby amended to read as follows:  
2 706.476 Except as otherwise provided in NRS 706.478:  
3 1. A vehicle used as a taxicab, limousine or other passenger  
4 vehicle in passenger service, *or to provide towing services or the*  
5 *transportation of household goods* must be impounded by the  
6 Authority if a certificate of public convenience and necessity *is*  
7 *required to be issued to authorize its operation but* has not been  
8 issued ~~authorizing~~ *to authorize* its operation. A hearing must be



\* A B 1 6 9 \*

1 held by the Authority no later than the conclusion of the second  
2 normal business day after impoundment, weekends and holidays  
3 excluded. As soon as practicable after impoundment, the Authority  
4 shall notify the registered owner of the vehicle:

5 (a) That the registered owner of the vehicle must post a bond in  
6 the amount of \$20,000 to ensure his presence at all proceedings held  
7 pursuant to this section;

8 (b) Of the time set for the hearing; and

9 (c) Of his right to be represented by counsel during all phases of  
10 the proceedings.

11 2. The Authority shall hold the vehicle until the registered  
12 owner of the vehicle appears and:

13 (a) Proves that he is the registered owner of the vehicle;

14 (b) Proves that he holds a valid certificate of public convenience  
15 and necessity ~~H~~, *if required*;

16 (c) Proves that the vehicle meets all required standards of the  
17 Authority; and

18 (d) Posts a bond in the amount of \$20,000 with the Authority.

19 ➤ The Authority shall return the vehicle to its registered owner  
20 when the owner meets the requirements of this subsection and pays  
21 all costs of impoundment.

22 3. If the registered owner is unable to meet the requirements of  
23 paragraph (b) or (c) of subsection 2, the Authority may assess an  
24 administrative fine against the registered owner for each such  
25 violation in the amount of \$5,000. The maximum amount of the  
26 administrative fine that may be assessed against a registered owner  
27 for a single impoundment of his vehicle pursuant to this section is  
28 \$10,000. The Authority shall return the vehicle after any  
29 administrative fine imposed pursuant to this subsection and all costs  
30 of impoundment have been paid.

